MIKE DEWINE
OHIO ATTORNEY GENERAL

School Commander Manual for Private Security Training Courses

OHIO PEACE OFFICER TRAINING COMMISSION

Effective 1-1-14

Dear Commander,

On behalf of the Ohio Peace Officer Training Commission, (OPOTC) I'm pleased to provide you with the Private Security Commander's manual. This manual is designed to assist you with conducting OPOTC approved Peace Officer Basic Training Programs. You can find the current version of the manual and basic training school forms at our website, www.OhioAttorneyGeneral.gov/OPOTA.

Revised lesson plans will be released twice a year for schools beginning on or after January 1st and July 1st. The current Private Security Training curriculum and lesson plans can be found on the Ohio Law Enforcement Gateway (OHLEG), which can be found at www.ohleg.org .

In order to provide you with up-to-date information, we are providing numerous resources on our website. We will also continue to send you e-mails about training opportunities and other pertinent information that may affect the status of your School Commander and Instructor certification. To that end, please ensure that we have your current contact information by filling out our online contact update form, located at www.OhioAttorneyGeneral.gov/OPOTAUpdate.

We welcome your comments on these efforts and thank you for your service.

Sincerely,

Mary E. Davis, Deputy Director
Interim Executive Director

Effective 1-1-14

Commander Manual for
Private Security Academic Training Course

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Field Agents

Please contact the Field Agent for ongoing issues directly related to your particular school. You can use the regional map on the next page to determine the assigned Field Agent.

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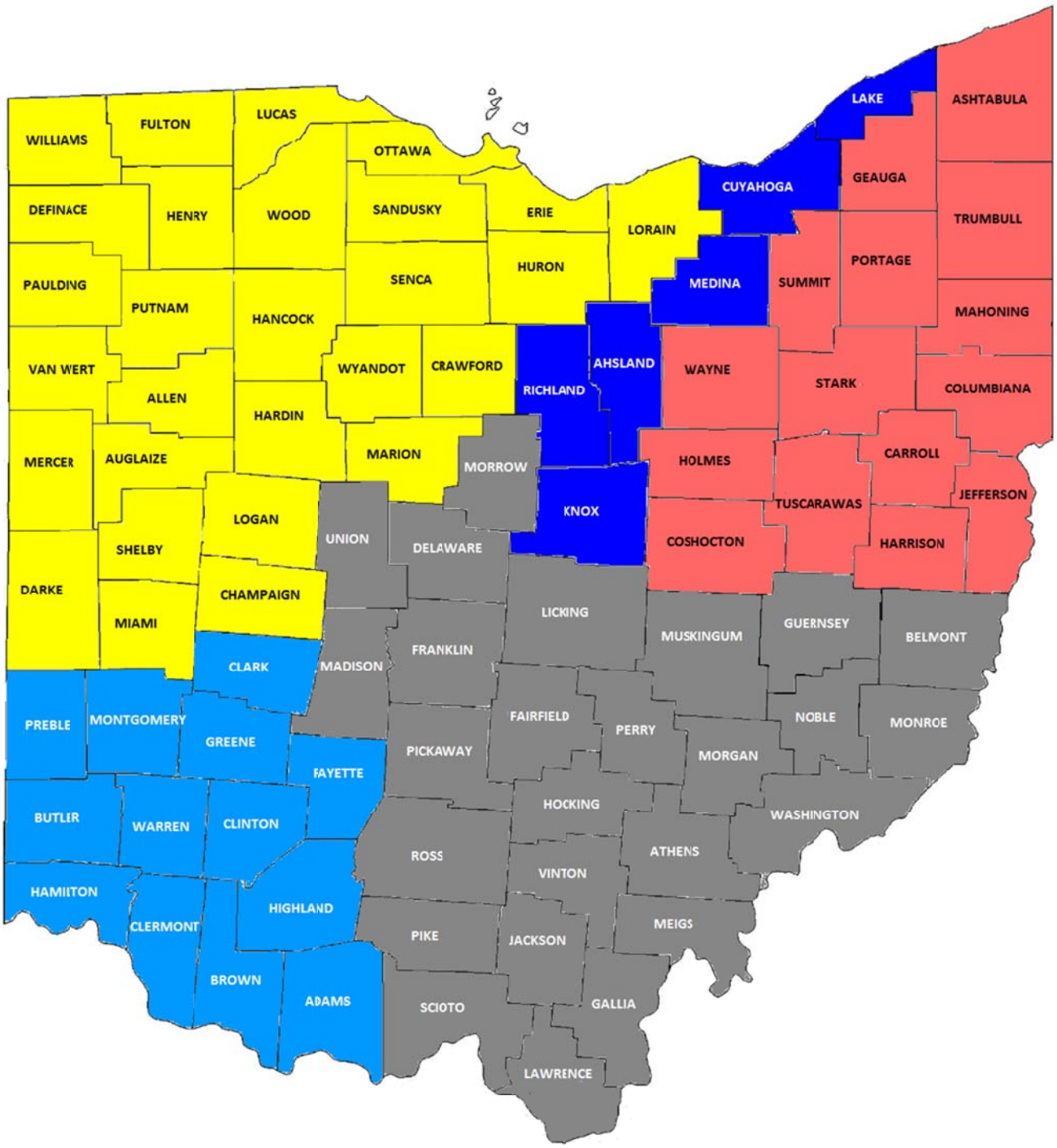

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Introduction

An Overview of the Academic Training Process

This manual is designed to assist School Commanders in conducting OPOTC approved Private Security Academic Training programs. The format is intended to be an easy-to-follow, step-by-step outline of the process broken down into nine sections:

Section One:	**Application and Pre-Opening Organization**
Section Two:	**Opening Audit**
Section Three:	**Enrollment Packet**
Section Four:	**Training Requirements**
Section Five:	**On-going Procedures**
Section Six:	**Closing Audit**
Section Seven:	**State Certification Examination**
Section Eight:	**Post-Closing Procedures**

Each section includes requirements, procedures, policies and explanations for proper completion and sequence of the required OPOTC forms for Private Security Academic Training. You may find all OPOTC Private Security Training Forms by visiting our website at www.OhioAttorneyGeneral.gov, and selecting Law Enforcement Training Forms.

School Commanders should immediately contact and consult with their respective Field Agent with questions. If the Field Agent is unavailable, please contact the assigned Certification Officer.

Academic Glossary of Terms

A number of terms and phrases are used throughout the discussion of OPOTC regulations and requirements pertaining to Private Security Training Programs. While not comprehensive, the following glossary will help familiarize School Commanders with this terminology.

a. **Academy:** The institution approved by the Executive Director to conduct Private Security Academic Training (with Firearms, if applicable).

b. **Application:** School Commanders intending to conduct an OPOTC Private Security Academic Training program must first apply for OPOTC approval.

c. **Attendance:** The OPOTC Private Security Programs consist of a minimum number of hours of training. No student may miss any portion of a mandatory topic unless all missed time is made-up in compliance with OPOTC procedures. No student may miss more than ten (10) percent of the non-mandatory topic hours.

d. **Audit – Academic:** Review of all records for a Private Security Academic Training Course which is conducted by Commission staff.

Opening Audit – Academic: A review of the Academic Training Course application and supporting documentation by the OPOTC Field Agent. The audit shall be conducted a minimum of twenty-one (21) days prior to the first day of class in which OPOTC topics will be taught. This requires the Commander to contact the Field Agent in advance of the twenty-one day requirement to allow sufficient time to schedule the audit.

Enrollment Audit – Academic: A review of the Student Enrollment information by the OPOTC Field Agent. This information must be completed and made available by the third day of class in which OPOTC topics are taught.

Final Audit – Academic: A review of all course records conducted by the Field Agent prior to the state certification examination.

e. **BCI&I:** Bureau of Criminal Identification and Investigation.

f. **Commander:** The individual appointed or employed by a training institution and certified by the Commission as chief administrator of a Private Security Training Program.

g. **Commander Conference:** A meeting conducted by the Commission to fulfill one of the requirements for Commander certification renewal defined in OAC 109:2-3-04(F) (See Appendix A).

h. **Commission:** The Ohio Peace Officer Training Commission.

i. **Course:** The Private Security Academic, Firearms Basic or Requalification course conducted by a Commission certified Private Security Commander.

j. **Credit:** Schools cancelled five business days prior to the first scheduled day of class, shall result in fees being credited to the academy account. Schools cancelled with less than five days prior to the first day of class will forfeit their application fee, unless the Executive Director determines that the cancellation is due to a weather emergency, an instructor illness, or other unforeseen event.

a. **Use of Credit:** Commanders must notify the Certification Officer in writing (email is acceptable) that they choose to use a portion or all of their current credit on file with OPOTA to apply towards opening or closing fees.

k. **Curriculum:** OPOTC official lesson plans containing Student Performance Objectives for all topics taught in a Private Security Academic Training Program. The curriculum is released January 1st and July 1st each year.

l. **Curriculum Code:** Specific number assigned to each school identifying OPOTC official curriculum in effect at the time the school was conducted. The curriculum code is required for state certification examination purposes.

m. **Examination – Academic:** The final written state certification examination conducted by the Testing Coordinator for the Academic Training Course in which a student must score 70% or more to receive certification.

n. **Executive Director:** The Executive Director of the Ohio Peace Officer Training Commission.

o. **Lesson Plan:** Instructional materials provided in outline form by OPOTC to School Commanders and Instructors, which contain the Student Performance Objectives.

p. **NOV – Notice of Violation:** A letter sent to a Commander, instructor or both, by the Executive Director of the Commission which notifies the individual that he or she has violated a particular section of the Ohio Administrative Code and/or Commander's Manual and the actions, if any, which must be taken to remedy the violation. Notice of Violations may be used as a basis for de-certification.

q. **OAC:** Ohio Administrative Code.

r. **On-site Inspection:** A review of the training facilities by the Field Agent during which the Commander must be present. The inspection is to be conducted prior to the facility being used to teach OPOTC topics.

s. **OPOTC:** Ohio Peace Officer Training Commission.

t. **ORC:** Ohio Revised Code.

u. **PSC:** Private Security Commander for Academic and Firearms Schools.

v. **PSF:** Private Security Commander for Firearms only.

w. **School:** Training program(s) for private security officers as approved by the Executive

Director of the OPOTC.

x. **School Number:** Once OPOTC approval is granted for a class of students, a school number will be assigned that is unique to that individual class. For example, PSA10-025, which includes the type of school (Private Security Academic Training), the school year (2010), and the number assigned to that particular class (the 25th Private Security Academic Training class of the year 2010).

y. **Skills Topics:** Topics of the Academic Training Course which must be successfully completed and passed by each student: Firearms, if applicable (adults only), Subject Control Techniques, First Aid/CPR/AED, Incident Command System, and National Incident Management System.

z. **SPO:** Student Performance Objectives are concepts or particular items within the curriculum upon which the state certification examination is based, as well as the written or firearms proficiency tests for basic or requalification courses.

Section I – Academic Program
Application & Pre-Opening Organization

This section explains the requirements for commanders, instructors, and training facilities.

1.1 School Commanders

1.1.1 A person interested in becoming a School Commander for any OPOTC approved training must submit an application to the OPOTC for approval. The School Commander's application must be approved by the OPOTC before any other action can be taken.

1.1.2 A person applying to become a School Commander must be associated with an existing or proposed school.

1.1.3 The minimum qualifications for a Private Security Academic Commander are:

a. High school graduate or possession of a General Education Development (GED) certification; and

b. Three years full time experience in the private security field, a security-related field or the equivalent, as determined by the Executive Director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

c. Two years full-time experience in a management-level position or completion of ninety quarter hours or sixty semester hours at an accredited college or university; and

d. Three professional references from individuals currently employed in the security or a security-related field in a management-level position, who have known the individual for at least three years; and

e. No conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal records check through BCI&I must be submitted with the application.

OAC 109:2-3-04(5).

1.1.4 Joint vocational school private security commanders may be exempted from requirements of paragraph (1.1.3 B) as listed above.

1.1.5 Once the application is approved by the Executive Director, a School Commander orientation will be conducted by Commission staff prior to a Commander certificate being issued. A site inspection must be conducted if one has not been conducted within the last three years.

1.1.6 The Commander's application must be approved before a course can be conducted. OAC 109:2-3-06(B).

1.1.7 If the Commander of record for any Private Security Academic Training Course will be absent for an extended period of time (i.e., vacation, illness, extended leave of absence), during the school, a Commission certified Private Security Academic Training Commander must be designated, in writing, by the current Commander or designee and such notice must be submitted to the Field Agent prior to the occurrence.

1.1.8 Only Commission certified Commanders may conduct the Private Security Academic Training Course. The Commander of record for a specific school may not allow any person not approved by the Commission to function as the Commander. If this occurs, the Commander will be in violation of Commission policy and subject to de-certification. The course approval may also be revoked.

1.1.9 A Commander may not participate as a student in any portion of a private security program when serving as the Commander of record.

1.1.10 If a School Commander intends to conduct two different schools during the same timeframe (e.g., day school in one location and night school in a different location), he must obtain written approval from the Executive Director prior to conducting the schools.

1.2 Teaching Facilities

1.2.1 Certain facilities and equipment are required to be available to conduct a course. OAC 109:2-3-03(A) establishes guidance on proper facilities and their composition. Classroom occupancy must be of a level that does not hinder the training or safety of the students.

a. Each facility shall have available the following:

1. A classroom with adequate heating, lighting and ventilation, that is relatively free from external distractions;
2. A chalkboard or other marking board with chalk or equivalent;
3. Tables and chairs or seats with arms for writing for each student;
4. Audio-visual equipment, including but not limited to overhead projector and videocassette player or other comparable viewing apparatus;
5. A lectern, stand or table for the instructor's use;
6. A gymnasium or large indoor area for teaching Subject Control Techniques, First Aid/CPR/AED, and other physical skills topics, supplied with appropriate safety and training equipment;
7. Access to a Commission-approved firearms range, if applicable;

8. Restrooms that will accommodate all students; and
9. Any other equipment or facilities as required by the Executive Director.

b. Firearms Basic or requalification certification courses will not require audio-visual equipment or a gymnasium or other large indoor area.

c. The Executive Director may deny a request for approval of a training facility for failure to meet minimum requirements as set forth in this chapter.

d. The Executive Director may revoke the approval of a training facility for failure to maintain minimum requirements as set forth in this chapter.

e. Should the executive director deny or revoke, approval of a training facility, the affected party may request an administrative hearing before the Commission.

OAC 109:2-3-03.

1.2.2 Firearms Ranges must comply with the Firearms Range Policy (Appendix B).

During the practical exercise, ONLY students enrolled in the firearms training may share the range, regardless of the number of empty stalls between them.

1.2.3 On-Site inspection by the Field Agent.

a. An inspection must be conducted and the facilities must be approved ***before*** a site may be used to conduct Commission approved training. Generally the Commander must be present during all aspects of the inspection. The Field Agent will inspect and approve all facilities for that school once every three years.

b. Additional site inspections may be conducted by the Commission staff:

1. When a new Field Agent is assigned (on other than a temporary basis);
2. When a new Commander is assigned;
3. When a previously inspected training site is changed;
4. At the discretion of the Field Agent.

c. A site inspection of all training sites may be conducted at any time by Commission staff.

d. If the facility is not approved, the school application will be denied.

1.3 Instructors

1.3.1 Only Commission certified instructors may teach OPOTC topics during OPOTC approved training programs. The School Commander is responsible for ensuring that each instructor is properly certified.

First Aid/CPR/AED Instructor(s) are required to have their current Instructor Card from the American Red Cross, American Heart Association, or the American Safety and Health Institute on file with the Commander and available upon request by OPOTC Staff.

1.3.2 No person convicted of a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification may become an instructor. Evidence of a recent criminal record check through BCI&I must be submitted with the Instructor application.

1.3.3 An instructor may not be a student in any portion of a private security program for which the student is an instructor of record.

Unit Instructors

1.3.4 To become an OPOTC-certified unit instructor in the Private Security Academic Training Program, a person must apply to the Commission for certification. Instructor applications must be signed by an OPOTC certified Private Security School Commander.

1.3.5 The minimum qualifications for a unit instructor in a Private Security Academic Training Program are:

a. High school graduate or possession of a General Education Development (GED) certificate; and

b. Five years full time experience in private security or related field; and

c. Completion of an approved forty-hour instructional skills course and 14 hour update, or eighty-hour instructional skills course taken as of July 1, 2009, or equivalent;

d. Completion of an OPOTC approved instructor level training program approved by the executive director which will allow a person to learn specific knowledge and skills in a unit for which certification is requested.

e. Firearms Only - Documentation of three years full time experience as an armed security officer with the weapon for which certification is sought;

f. Copy of a current criminal history report conducted by BCI&I and attached to the application;

g. Recommendation of currently approved OPOTC Private Security Commander.

OAC 109:2-3-05 (B).

Topic Instructors

1.3.6 Topic instructors in Private Security Academic Training Programs will be certified to

teach topics within a unit or units not to exceed five topics. Topic instructor applicants will not be considered for firearms and subject control techniques units per OAC 109:2-3-05 (C), as they are required to be unit instructors.

1.3.7 To become an OPOTC certified Private Security Academic topic instructor, a person must apply to the OPOTC for certification. Instructor applications must be signed by an OPOTC certified Private Security School Commander.

1.3.8 Effective July 1, 2011, a new or special topic instructor who has allowed their certification to lapse is required to either: (1) successfully complete an OPOTA approved 80 hour Instructional Skills course; or (2) have a Bachelor's degree in Education. Exceptions include licensed attorneys in the State of Ohio, duly qualified First Aid/CPR/AED instructors and duly qualified Homeland Security Instructors.

1.3.9 The minimum qualifications for a topic instructor in Private Security Training Academic programs are:

a. High school graduate or possession of a General Education Development (GED) certificate;

b. Persons licensed, degreed, or professionally certified in a particular discipline such as medical doctors, attorneys, nurses, counselors, protection professionals, and teachers of specialized subjects related to the private training course may qualify. Persons licensed, degreed or certified may be eligible to teach up to five topics within their area of expertise.

c. Persons recognized for their professional competency in the security, health, fire safety or other related areas must have a minimum of two years' experience in the subject area to be taught.

d. Recommendation and signature of a current Private Security Commander in good standing.

OAC 109:2-3-05(C).

1.3.10 An instructor's OPOTC certification must be current and shall not expire prior to the date on which the instructor is scheduled to teach. Instructors who teach Unit 8, First Aid/CPR/AED must also be currently certified as an instructor through the American Red Cross, American Heart Association, or American Safety and Health Institute and shall not expire prior to the date on which the instructor is scheduled to teach during a school. Instructors may only teach topics and/or units for which they have been certified. If any OPOTC topics or units are taught by an expired or non-certified instructor, the class may not be allowed to take the state certification exam, until these discrepancies have been corrected.

1.3.11 Private Security Academic Training Courses must be taught with a minimum of six

Commission approved instructors. Certain topics or units require a minimum instructor-to-student ratio.

1.3.12 Instructors' certification numbers and topics must be verified by the Commander for each topic the instructor is scheduled to teach.

NOTE: New or renewal applicants or instructors for First Aid/CPR/AED must provide the Commander and OPOTC with a current instructor card. Attorneys must provide a copy of their current attorney registration card.

1.3.13 The School Commander is responsible for ensuring that instructors use the most current version of lesson plans. The School Commander must provide instructors with copies of the OPOTC suggested lesson plans or review the instructor's proposed lesson plans to ensure that the instructor covers the OPOTC Student Performance Objectives (SPOs), which form the basis for the state certification examination and approval for being certified in the academic course. New lesson plans are released twice a year for schools beginning on or after January 1st and July 1st.

1.3.14 School Commanders must maintain a current OPOTC instructor certificate for each instructor who teaches at their academy. In addition, for each OPOTC instructor approved for Unit 8 First Aid/CPR/AED, the School Commander must maintain a copy of the current instructor certification from the American Heart Association, American Red Cross, or American Safety and Health Institute. This file of certificates will serve as a guide for Commanders during schedule preparation, for substitution purposes and is subject to inspection by the Field Agent upon request.

1.3.15 All SPOs must be taught by a Commission certified instructor. If a guest instructor (non-Commission certified instructor) is utilized, a Commission certified instructor must be present in the classroom at all times.

1.4 Students

The School Commander must inform every perspective student of the following:

1.4.1 All inquiries from a student shall be directed to the Commander. If the Commander cannot resolve the matter, the Commander will contact Commission staff.

1.4.2 Prospective students subject to a state or federal weapons disability, or who are unsure if they are subject to such a disability, may **not participate** in any portion of the optional firearms training, or any classroom training that involves the handling of a firearm, unless and until relieved of the disability and unless and until the OPOTC Executive Director notifies both the student and the School Commander that the potential weapons disability issue has been favorably resolved. (See ORC 2923.13, Appendix C, and USC Title 18 USC 921). This matter shall be strictly interpreted, and, as a violation could lead to criminal or civil liability for the prospective student, the instructor, and/or the commander, such a violation shall be considered a serious commander certification violation.

1.4.3 Pursuant to ORC 2923.21, no person under the age of eighteen may participate in any portion of the firearms training.

Section 2 – Academic Program
Opening Audit

The School Commander must schedule the opening audit with the Field Agent a minimum of twenty-one days prior to the proposed school. In order to allow sufficient time to schedule the audit, the Commander shall contact the Field Agent well in advance of the twenty-one day minimum requirement. Once the audit is complete, the Commander shall submit the opening paperwork and the appropriate fee to the Certification Officer. When fees are submitted, the Commander should include the school number and/or the proposed date of the school on the check or on an accompanying document. If fees are being submitted for more than one school, the Commander shall issue separate checks for separate schools.

Violations of this time frame could result in denial of the application and fees held on account. If the appropriate fee or purchase order has not been submitted (Appendix D); or if any portion of the application is incomplete or incorrect, the school will not be opened until everything has been received and/or corrected.

Submission of the Application

At the opening audit, the School Commander will provide the Field Agent with all of the required paperwork. During the opening audit, the Field Agent will review these forms to ensure compliance with OPOTC requirements.

2.1 School Application (Form SF100unv)

2.1.1 This form must be computer generated or typewritten and completed in its entirety. Incomplete applications will be returned to the Commander. Each application must contain the following information:

a. Type of School, circle weapon type(s), if applicable;

b. Number of firing points on firearms range (if applicable);

c. Field Agent Assigned;

d. School Name;

e. County name in which the course or school is located;

f. Commander's name and commander number;

g. Specify the proposed dates of course; total hours, and number of students;

h. Days of week and hours each day that classes are to be held;

i. Total number of non-mandatory hours;

j. Application fee (See Appendix D). To cancel a course you must do so in writing by fax, email, or mail addressed to the Field Agent and the Certification Officer. Schools cancelled five business days prior to the first scheduled day of class, shall result in fees being credited to the academy account. Schools cancelled with less than five days prior to the first day of class will forfeit their application fee, unless the Executive Director determines that the cancellation is due to a weather emergency, an instructor illness, or other unforeseen event.

k. Facility address, the site where the course will be conducted;

l. Range address, the site where the firearms training (if applicable) will be conducted;

m. Mailing address where all correspondence (i.e., certificates, notices, opening and closing letters, etc.) is to be sent;

n. List telephone numbers:

1. Commander (daytime telephone);
2. Facility telephone number;
3. Fax number;
4. Commander cell phone;
5. Email address.

o. A minimum of six (6) Commission certified instructors must be scheduled and instruct for an academic academy.

p. List only instructors who are scheduled to teach Commission topics.

q. List each instructor alphabetically by last name, first, and middle initial.

r. Check the appropriate column(s) for each instructor who is scheduled to teach in a skills topic. Instructor-to-student ratios must be in compliance with Commission requirements. Firearms safety officers must be indicated with the letters “SO” in the firearm column.

s. List Commission instructor certification numbers for each instructor.

t. List Commission expiration date for each instructor located on the instructor’s certificate.

u. For each instructor scheduled to teach Unit 8 First Aid/CPR/AED, the School Commander must submit current instructor certification documentation from the American Heart Association, American Red Cross, or the American Safety and Health Institute with the school application.

2.1.2 Commander signs the application on the second page.

2.2 Course Calendar (Form SF105unv) ***Must be typed***

2.2.1 The School Commander must complete the School Calendar using the SF105unv form. The calendar shall contain the topic headings as they appear on the Private Security Academic Training Curriculum. Only OPOTC topics are to be listed on the calendar.

The Commander must show the Field Agent copies of current instructor certification for the First Aid/CPR/AED instructor(s) listed on the calendar from the American Heart Association, American Red Cross, or the American Safety and Health Institute. Submit copies of the current instructor certification with the Opening Audit.

2.2.2 The training blocks on the school calendar must include:

a. Date of instruction;
b. Day(s) of instruction (e.g., M, T, or W);
c. Number of hours of instruction;
d. Time (e.g., 6:00 PM to 10:00 PM or 1900 to 2200);
e. OPOTC topic number (e.g., Topic 6-2);
f. OPOTC topic title (e.g., Occupational Safety);
g. For skills areas, indicate if training is to be held in classroom, firearms range, or gym;
h. The instructor's last name, first name, middle initial and OPOTC instructor certificate number (e.g., Smith, Mark E. PST 29999);

2.2.3 If mandatory topic hours are expanded, all hours are mandatory (e.g., if Cultural Sensitivity is taught for ten hours instead of four hours, all ten hours are mandatory.) If non-mandatory hours are added all of these hours will be factored in to the ten percent (10%) non-attendance limit.

2.2.4 Training that is scheduled for more than five hours per training day must have at least a 30-minute break period. This break period must be evident on the school calendar, and be scheduled approximately in the middle of the training day. If training exceeds ten hours in a given day, an additional 30-minute break must be scheduled.

2.2.5 Classes from separate academies may not be joined together for the same training session. For example, if a school has both a day program and a concurrent night program, they may not be joined together to share the same classroom and set of instructors. Should a day class and a night class have training at the same facility at the same time (e.g., on a Saturday), they must be scheduled to be in separate classrooms with their own instructor(s).

Note: A student subject to state or federal weapons disability who participates in firearms training may be in violation of state and federal law, punishable as a felony offense. A school Commander who allows a student with a weapons disability to participate in

firearms training also may be criminally liable.

2.2.6 Unit 9, Firearms training, if scheduled, shall specify the classroom portion and range portion separately.

2.3 Skill Topic Ratios

The Commission requires the following instructor-to-student ratios during the practical portions of these topics:

a. Unit 7, Subject Control Techniques: One Commission certified Subject Control Technique instructor for every 10 students.

b. Unit 8, First Aid/CPR/AED: Commission certified First Aid/CPR/AED instructor(s). Ratios applied for student to instructor and student to equipment are as required or suggested by the American Red Cross or the American Heart Association or the American Safety and Health Institute as the certifying organization.

   Instructors for First Aid/CPR/AED must provide the Commander with a copy of their current instructor card from the American Red Cross, American Heart Association, or the American Safety and Health Institute. The commander must show a copy of the card(s) to the Field Agent during the opening audit.

Note: The School Commander must provide students with their certification from the, American Heart Association, American Red Cross, or the American Safety and Health Institute for students who successfully passed the SPO for this unit.

c. Unit 9, Firearms: One Commission certified firearms instructor for every five (5) students at the firing line. Either a certified firearms instructor or an approved safety officer must be present for all other students not on the firing line. Only an OPOTC approved safety officer may serve. The safety officer must meet the requirements as specified in the Commission Firearms Range Statement (See Appendix B). Safety officers must appear on the application and calendar with the letters “SO” indicated in the firearms column. No more than two students per firing point may be present at the range during the practical firing portion of the training.

   For example, a ten-point range may only have 20 students, (i.e., two relays of ten students each). A class with 40 students would be split into two squads of 20 students, with each 20 student squad receiving a total of 20 hours of training. The instructor-student ratio does not apply to classroom training.

d. Unit 10 Homeland Security, 10-2 ICS: Commission certified Incident Command System Instructor(s), ratios not required.

e. Unit 10 Homeland Security 10-3 NIMS: Commission certified National Incident Management System Instructor(s), ratios not required.

NOTE: During the practical exercise, ONLY students enrolled in the firearms training may share the range, regardless of the number of empty stalls between them.

2.4 Review By Certification Officer

2.4.1 After the Field Agent meets with the School Commander and approves the appropriate documents, the documents will be forwarded to the OPOTC Certification Officer, who will also review the application. If approved, the Certification Officer will issue a distinctive school number to the training academy, and will send an opening letter to the School Commander. The opening letter will indicate that the training academy has been approved and may proceed according to the school calendar.

2.4.2 The opening letter will also include the school's curriculum code, which will correspond with the appropriate version of the state certification examination. No academy may begin classes unless and until an OPOTC school number has been issued. The OPOTC will not recognize any training class, or portion thereof, conducted prior to the issuance of the opening letter and school number.

2.4.3 If a School Commander does not receive written approval at least five (5) days prior to the first scheduled day of training, the School Commander should contact the assigned Certification Officer to inquire as to the status of the application.

2.4.4 If the application is denied, the School Commander will be notified in writing of the denial and the reasons for it, along with suggested corrective measures to remedy the problem. No application will be approved unless and until any problems have been corrected to the satisfaction of the OPOTC Executive Director.

Section 3 – Academic Program
Enrollment Packet

The third phase of the training academy process consists of the Enrollment Packet.

3.1 Forms (type or print legibly in ink the required information.)

No later than the third day of OPOTC topics, the School Commander shall have prepared the enrollment forms.

3.1.1 Student Enrollment List (SF110unv) ***Must be typed***

The School Commander must complete the form by typing the required information and must include:

a. School name;
b. School number;
c. Proposed dates of the school;
d. List of students in alphabetical order, by last name, first, and middle initial;
e. SSN (Social Security Number);
f. DOB (Date of Birth);
g. School Commander's signature and date.

Student Paperwork – Organize Student Paperwork as a collated packet for each student in the following order: SF115unv, SF101unv, and if Firearms is applicable the SF145ps, and Firearms Proficiency Testing records. Staple each student packet together. Submit the packets in alphabetical order as reflected on the Student Enrollment List.

3.1.2 Student Enrollment Form/Certification Record (SF115unv)

The student must complete the following:

a. Name – last name, first name, middle initial;
b. Social Security number;
c. Home address;
d. Date of birth;
e. Place of birth;
f. Home telephone number;
g. Gender;
h. E-mail;
i. Driver's license number, including issuing state and date of expiration, including mm/dd/yy;
j. Race;
k. Highest level of education completed;

The Commander must complete the following:

a. Student's status (academic, if applicable firearms and weapon);
b. Signature of School Commander;
c. School name;
d. School number;
e. Date;
f. Do not write in box marked "OPOTC USE ONLY".

3.1.3 OPOTC Statement of Understanding (SF101unv--required for Firearms only)

The student must complete the form by typing or printing the following required information, legibly, in ink:

a. Student name - last, first, middle initial;
b. Social security number;
c. Date of birth;
d. School name;
e. School number;
f. Students must truthfully answer each of the questions;
    1) Prospective students subject to a state or federal weapons disability may **not participate** in any portion of the firearms training, or any classroom training that involves the handling of a firearm, unless and until relieved of the disability.
    2) A "yes" answer to any of questions 1 through 18 on the OPOTC Statement of Understanding, SF101unv, **will prohibit a student from participating** in any portion of firearms training or any classroom training that involves the handling of a firearm unless and until the OPOTC Executive Director notifies both the student and the School Commander that the potential weapons disability issue has been favorably resolved.
    3) This matter shall be strictly interpreted, and, as a violation of Paragraph 1.4.4 could lead to criminal or civil liability for the prospective student, the instructor, and/or the commander, such a violation shall be considered a serious commander certification violation.
g. Student's signature;
h. Acknowledgement by a Notary Public;
i. The School Commander shall review the form with each student and explain that the student may be subject to criminal charges if the student provides false information.

Section 4 – Academic Program
Training Requirements

The Field Agent will arrange a time with the School Commander to speak to the students and explain the OPOTC requirements necessary for eligibility to take the state certification examination. The School Commander is responsible for explaining any local school policies or requirements.

4.1 Eligibility for the State Certification Examination

Eligibility to take the state certification examination is based upon the student's attendance, successful completion of skills areas, and satisfactory evaluation of the notebook.

4.1.1 Attendance

a. A student who misses any portion of a mandatory topic is **NOT eligible** to take the state certification examination unless all missed time is made-up in compliance with OPOTC procedures. (See Section 5 regarding student makeup requirements.)

b. A student who misses more than ten percent (10%) of training hours in non-mandatory topics is **NOT eligible** to take the state certification examination.

4.1.2 Skills Areas

No student will be permitted to take the state certification examination unless and until they successfully complete the skills assessments in the following units:

a. Unit 7, Subject Control Techniques;
b. Unit 8, First Aid/CPR/AED;
c. Unit 9, Firearms; if applicable;
d. Unit 10, 10-2 Incident Command System;
e. Unit 10, 10-3 National Incident Management System;

4.1.3 Student Notebooks

All students will keep a notebook, which shall be submitted to the School Commander for inspection. No student shall be permitted to take the state certification examination unless they have received a satisfactory evaluation of their notebook. Student notebooks shall be available for review by OPOTC staff upon request. The School Commander shall evaluate student notebooks in the following areas.

a. Sufficiency of course content;
b. Organization;
c. Appropriateness of the material;

d. Regularity of entries;
e. Neatness;

OAC 109:2-3-08

4.2 Skills

4.2.1 Unit 7, Subject Control Techniques

The skills assessment for Subject Control Techniques consists of five (5) SPOs which are recorded by the instructor. SPOs may be tested individually, or combined so that the student performs one SPO after the other as part of a comprehensive test. SPOs shall be recorded on the SF127ps, for Subject Control Proficiency Testing Record.

4.2.2 Unit 8, First Aid/CPR/AED

The skills assessment for First Aid/CPR/AED shall be as required for suggested by the American Red Cross or the American Heart Association or the American Safety and Health Institute as the certifying organization. SPOs shall be recorded on the SF123ps, First Aid/CPR/AED Proficiency Testing Record.

4.2.3 Unit 9, Firearms, if applicable

a. The skills assessment for the firearms unit consists of a number of SPOs that each student shall successfully achieve to be eligible to receive an OPOTA certificate. The 20 hours of firearms training shall include classroom and live-fire training exercises on the range.

   The student must correctly complete each SPO on the written test (SF145ps).

   The student must complete and meet the minimum requirements for each SPO listed on the Private Security Proficiency Testing Record(s) SF130ps—Revolver, SF135ps—Semi-Automatic Pistol, SF140ps—Shotgun, to receive a certificate of completion.

   Each student is afforded two attempts to complete each SPO. Students who are unsuccessful in answering correctly or attaining the minimum level of proficiency within the allotted two attempts must repeat the entire basic course to be certified in firearms.

b. The SF145ps--Firearms Written Student Performance Objectives Test must be completed in the student's own handwriting and all sections of the questions must be answered correctly. Students who fail the first attempt are given a second and final attempt. If a student fails both attempts they must retake the entire firearms course and successfully complete all requirements to receive a certificate of completion.

The School Commander shall sign the Written Test and will submit all attempts of the written test with the closing audit. Both the Commander and the Instructor(s) will sign each SPO score sheet for the Firearms Proficiency Testing Records. Original signatures are required; no stamped signatures will be accepted. OAC 109:2-3-10.

c. OAC 109:2-3-10(A) states in part: "persons holding positions listed in section 109.78 of the Revised Code in which such persons go armed while on duty shall successfully complete a basic firearms training course which includes a minimum of twenty hours of training in each handgun used. . . " For the purpose of that section "each handgun" shall mean either revolver or semi-automatic, and the twenty hours of training will be in either revolver training or semi-automatic training, depending on which firearm the student will be using while on duty.

4.2.4 Unit 10, Homeland Security

10-2 Incident Command System. The skills assessment for Incident Command System is based on the test as provided by the nationally recognized FEMA organization. SPOs shall be recorded on the SF134ps, Incident Command System Proficiency Testing Record.

10-3 National Incident Management System. The skills assessment for the National Incident Management System is based on the test as provided by the nationally recognized FEMA organization. SPOs shall be recorded on the SF136ps, National Incident Management System Proficiency Testing Record.

4.3 State Certification Examination

4.3.1 The Commission will prepare, conduct and score a final examination for each person successfully completing the private security academic training course.

a. Each student recommended for certification must pass the state certification examination with a minimum score to be determined by the Commission (presently 70%).
b. The state certification test is to be taken based upon the knowledge that the student has personally gained. It is not open-book, open-notes, open-blackboard, open laptop, open-notebook, etc.
c. Special skills training is tested through practical demonstrations and by Commission approved nationally recognized programs, and will not be covered on the state certification examination. These areas are First Aid/CPR/AED, Firearms, Subject Control Techniques, Incident Command System, and National Incident Management System.

4.3.2 Any student who has been evaluated as unsatisfactory in any of the skills areas is ineligible to take the state certification examination.

4.3.3 The results of the examination shall be made known to the Commander within five business days of the date administered. A student failing to achieve the designated minimum score shall be given one retest. This retest will be given within two weeks of the date the School Commander is notified of the initial examination results. The results of the retest shall be made known to the commander within five business days of the date administered. Students who fail the retest shall not be permitted to take the state certification examination again unless they successfully complete another private security academic training course.

Section 5 – Academic Program

Ongoing Procedures

5.1 Notification of Changes to School Calendar (SF185unv)

5.1.1 The School Commander shall notify the Field Agent at least 24 hours in advance of any of the following changes to the school calendar:

a. Dates;
b. Topics;
c. Locations (include facilities, room numbers, and range if applicable);
d. Times;
e. Cancellations;
f. Instructor(s);
g. The School Commander should also revise the school calendar as these changes occur.

5.1.2 Use the Notification of Change SF185unv to document all changes. Submit the SF185unv to the Field Agent containing the following information:

a. School name and number;
b. "A" (add), "D" (delete), or "C" (change) in Instructor Change column (if applicable); "A" adding a First Aid/CPR/AED Instructor(s) will require submission of their current Instructor Certification from the American Red Cross, American Heart Association, or the American Safety and Health Institute. Attach to the SF185unv form.
c. Original date;
d. Proposed date;
e. Location of the class;
f. Proposed times of reschedule;
g. Correct OPOTC topic number and title;
h. Instructors last name, first, and middle initial, OPOTC certificate number and expiration date;
i. Date the School Commander notified the Field Agent of the proposed change;
j. School Commander's signature. Original or electronic signatures are acceptable.

5.1.3 In instances of an instructor addition or substitution, the School Commander shall submit copies of OPOTC certifications attached to the SF185 to the Field Agent. For Topic 8 First Aid/CPR/AED, the School Commander shall submit copies of the applicable certifying document from the American Red Cross, American Heart Association, or the American Safety and Health Institute as well as the OPOTC certification and attach both documents to the SF185 to the Field Agent.

5.1.4 For same day changes the School Commander shall contact the Field Agent by telephone or voice message indicating that a change in the school calendar must occur that day, and

stating the reason for the change. The School Commander will then prepare and send the SF185unv form.

5.1.5 The SF185unv is a continuing form. When changes occur, the School Commander will follow the same process and complete the next line on the form.

5.1.6 The School Commander shall submit the SF185unv in its entirety at the closing audit. When appropriate the documentation as required in 5.1.3 for Unit 8 First Aid/CPR/AED.

5.2 Monitor classes

5.2.1 The School Commander shall be available to answer student questions and provide guidance when appropriate.

5.2.2 The School Commander and Instructors are responsible for maintaining discipline during all training activities.

5.2.3 The School Commander and Instructors shall ensure that required instructor-to-student ratios are met during skills area training, if applicable. Classroom portions of skill area topics do not require instructor-to-student ratios.

5.2.4 The School Commander and Instructors shall ensure that the correct versions of OPOTC lesson plans are being utilized in class.

5.2.5 The School Commander and Instructors shall give due regard to safety considerations during all training activities (e.g., dangerous weather conditions).

5.3 Sign-in Sheets (SF121unv)

5.3.1 The School Commander shall maintain an accurate SF121unv Sign-in Sheet for each day Commission topics are scheduled and make them available for inspection by Commission staff.

5.3.2 The SF121unv shall contain the following information:

a. School name and number, including prefix (PSA11-000);
b. Date of class;
c. All topic titles, numbers, and hours of each topic as scheduled;
d. Total number of hours of the training day (OPOTC topics only);
e. Typewritten in alphabetical order, student by last name, first, and middle initial;
f. Signature of each student next to their name;
g. Exact time each student arrives at class for the day (e.g., 7:52 a.m. or 0752);
h. Exact time each student leaves class for a 30-minute break or for an extended amount of time (e.g., court appearances, illness, etc.);

i. Exact time each student re-enters class after a 30-minute break or other extended absences;
j. Exact time each student leaves class at the end of the training day;
k. Signature and certificate number of each instructor teaching topics listed on the sign-in sheet by alphabetic designator;
l. Indicate instructor by circling letter in the boxes next to the topic and title;
m. Use additional pages of the sign-in form if more space is required for multiple sign-in and sign-out times;
n. Hours "present" or "absent" for each student.

5.3.3 All scheduled instructors and safety officers (SOs required for firearms classes only) shall sign the sign-in sheets at the conclusion of each class.

5.3.4 The School Commander shall verify the accuracy of each sign-in sheet, then sign and maintain the sheet.

5.4 Attendance Roster (SF120unv)

5.4.1 The School Commander shall maintain the SF120unv on a weekly basis and keep track of the number of hours and topics that each student must make-up.

5.4.2 The SF120unv shall contain the following information:

a. School name and number;
b. School dates;
c. Listed in alphabetical order student names by last, first, middle initial;
a. Dates of classes shall be listed on the top line of the form;
b. Mandatory topic numbers shall be listed on the last line of the form. If multiple pages are required, list topic numbers accordingly on all pages;
c. School Commander's signature and date;
d. Typed name of School Commander.

5.5 Notification of Make-up Hours (SF122unv)

5.5.1 Whenever it becomes necessary for a student to make-up training that they have missed, the School Commander shall notify the Field Agent at least 24 hours in advance of the make-up session. This notification will be made by using form SF122unv. This form must contain:

a. School name;
b. School number;
c. Student's name (last name, first name, middle initial);
d. Date original class missed;
e. Proposed date of make-up class;
f. Number of hours to be made up;

g. Time of make-up session;
h. OPOTC topic number and title;
i. Instructor's name and certificate number (in instances of an instructor change, submit copies of applicable OPOTC instructors' certificate); for Topic 8 First Aid/CPR/AED, submit copies of OPOTC Instructor's certificate and applicable certifying document from the American Red Cross, the American Heart Association, or the American Safety and Health Institute.
j. Location of make-up session;
k. Date Field Agent was notified;
l. Commander's initials on the form once make-up has been completed;
m. School Commander's name typed;
n. School Commander's signature. Either original or electronic signatures are acceptable.

5.5.2 The SF122unv is a continuing form. When the next student requires make-up hours, the School Commander will follow the same process and complete the next line on the form.

5.5.3 School Commanders shall maintain the SF122unv and present it to the Field Agent at the closing audit, along with a separate form SF120unv, Student Attendance Roster for students who are required to make-up hours. A separate SF121unv Sign-in Sheet shall be used for each make-up session. Make-up hours shall not be included on the master SF121unv Sign-in Sheet.

5.5.4 If a student arrives late to class and is 15 minutes or less late, the instructor has the discretion 1) to count the absence as one-half (1/2) hour, or 2) to make up the time and missed material at the end of the class day with that original instructor. The make-ups cannot be done on class breaks.

If the instructor opts to make the time and missed material at the end of the class day, the make-up must be noted at the bottom of the Student Sign-In Sheet, SF121unv, and signed by the instructor. No entry is required on the Notification of Make-up Hours, SF122unv.

For example, if the class time is from 1800-2200 hours and a student arrives late and signs in at 1812 hours, at the instructor's discretion, the student may stay over with that instructor and sign out 12 minutes after class dismissal.

5.5.5 If the student is more than 15 minutes late, then the time must be made up in a minimum of one-half hour increments at a later time by the original instructor and documented on the Notification of Make-up, SF122unv and accompanying Student Attendance Roster, SF120unv.

5.5.6 If hours are to be made-up on the same day they were missed, the School Commander shall notify the Field Agent by telephone or voice message in advance and then fax the SF122unv to the Field Agent as soon as possible.

5.5.7 If the hours to be made up are taught by a different instructor, that instructor must teach

the entire topic.

5.5.8 Students who must complete skills area make-ups may be combined with other students who missed different hours in the same topic, if the instructor is the same. A memo-to-file signed by the instructor verifying that the students received instruction covering their respective missed material shall be included with the school file and provided for inspection at the closing audit.

5.5.9 All make-up hours must be completed by the last day OPOTC topics are taught in a school.

5.5.10 If, at the time of the closing audit, the School Commander is willing to accommodate a student who has exceeded the ten percent (10%) absence limit for non-mandatory OPOTC topics, or if the student has missed any portion of a mandatory topic, the School Commander must:

a. Submit a request to the Executive Director to allow a Student to make up hours. No make-up hours may be completed without at least the verbal approval of the Executive Director or his designee. As provided in OAC 109:2-1-09 (B)(1), the student will not be permitted to take the state certification examination until the make-up hours are completed and the student has fully complied with the OPOTC attendance policy.

b. The written request should specify the proposed date of the make-up session, the topic and hours to be taught, and the names of the instructor(s) and student(s) who will complete the make-up session;

c. The SF122unv must be completed and submitted to Field Agent prior to the approved make-up session.

d. Upon completion of the make-up session, the School Commander shall present the SF122unv, Notice of Make-up and SF120unv, Student Attendance Roster, and the SF121unv, Sign-in Sheet, to the Field Agent.

5.6 Class time

5.6.1 The School Commander shall ensure that instructors teach class for the entire time scheduled for each topic.

5.6.2 Clock hour requirement is based on a 50-minute hour allowing for a 10-minute break per hour. Breaks may not be combined (i.e. in order to shorten the class day, extend lunches, delay starting time, etc.).

5.6.3 Class time may not be used for instructor preparation (e.g., making copies, setting up audio-visual equipment, traveling to and from firearms range, etc.).

5.7 Skills Topics Ratios

The skills topic ratios outlined in the Opening Audit Section must be followed.

5.8 Scheduling the State Certification Examination

5.8.1 The School Commander must first schedule the closing audit with the Field Agent, before contacting the Testing Coordinator. Contact the Testing Coordinator at least 45 days prior to the last day of class in which OPOTC topics are taught. The examination must be scheduled at least 14 days after the last day of class in which OPOTC topics are taught and no sooner than 10 days after the final audit.

5.8.2 The Testing Coordinator will confirm the examination date by sending form EX720 to the School Commander.

5.8.3 Any student who needs special accommodations in taking the state certification examination must have the School Commander submit a completed OPOTC State Certification Examination Special Accommodation Request and Checklist, EX735, to the OPOTC Testing Coordinator. Requests for special accommodations must be made by the School Commander and should be submitted as soon as possible, but no later than 45 days prior to the last day in which OPOTC topics are taught. Along with the completed EX735, the School Commander shall submit the following documentation:

a. A description of the student's specific disability and the special accommodations requested. Such accommodation can include a request for an extended time limit, an oral examination, or both, as well as a detailed explanation of why these accommodations are needed;

b. A current, within three years, written diagnosis from a licensed physician, psychologist or other qualified professional stating the student's specific disability and the detailed nature of the disability or:

   1. An Individual Education Plan (IEP); or
   2. A Multi-Functional Evaluation (MFE).

c. If the request has been approved, the Testing Coordinator will schedule a test date with the School Commander;

d. Special needs examinations will be conducted at the OPOTA campus in London, Ohio, on an individual basis.

5.9 Collect and Grade Student Notebooks

5.9.1 The School Commander must evaluate the students' notebooks as either satisfactory or unsatisfactory. If satisfactory, enter "S" in the applicable column. If unsatisfactory, enter "U" in the applicable column (NB for Notebook) on the Student Evaluation SF155ps.

5.9.2 Return notebooks to students after evaluating them.

5.10 Collect All SPO Score Sheets

5.10.1 The School Commander shall ensure that all skill area SPO score sheets have been properly completed by the student and instructor. The School Commander shall ensure that the SPO score sheets for each student correspond to the Curriculum Code assigned to the school the student attended.

5.10.2 The School Commander shall verify that the instructor signs each SPO score sheet. Original signatures are required; no stamped signatures will be accepted.

5.10.3 SPO score sheets shall be categorized by skills area and arranged alphabetically to correspond with the SF120unv Student Attendance Roster (regardless of whether they passed or failed).

5.10.4 The School Commander shall keep the original SPO score sheets on file for Subject Control Techniques, First Aid/CPR/AED, ICS and NIMS, and shall make them available for review by the Field Agent at the closing audit or upon request.

5.10.5 The original copy of the Firearms SPO score sheet(s) and copies of all attempts at the written SPO test, Form SF145ps, shall be submitted with the closing packet. The School Commander should keep copies of these forms for the academy file.

5.11 Records Maintenance**:** School Commanders are strongly encouraged to consult with legal counsel regarding their responsibility to maintain sign-in sheets, SPO score sheets and other school records for each student who attends a Private Security Academic Training Program.

Section 6 – Academic Program
Closing Audit

Prior to the last day of class in which OPOTC topics are taught, the School Commander shall contact the Field Agent to schedule a closing audit. The closing audit must be conducted after the last day of class in which OPOTC topics are taught and no later than 10 days prior to the scheduled state certification examination.

Once the audit is complete the Commander shall submit to the Certification Officer the closing paperwork and the appropriate fee. Any errors, omissions or discrepancies in the closing paperwork shall be corrected before the closing documents are submitted to the OPOTC Certification Officer for final review and approval.

6.1 Students

6.1.1 The appropriate paperwork for students shall be submitted to the Field Agent at the closing audit. All closing documents submitted shall be original, and either computer-generated or typed. The forms to be submitted are as follows:

6.1.2 SF105unv—Revised School Calendar which include all dates, times, topics and instructors as the course was actually conducted.

6.1.3 SF185unv—Notification of Change in Schedule

6.1.4 SF120unv—Student Attendance Roster

6.1.5 SF121unv—Student Sign-in Sheets

6.1.6 SF122unv—Notification of Make-up Hours. This shall include a separate SF120unv Student Attendance Roster, listing only the make-up hours for each student who was required to make up any portion of a training session.

6.1.7 SF155ps—Student Evaluation Record:

a. This report must be compiled and maintained during the course of the School and the Commander shall submit a completed hardcopy of the SF155ps at the closing;

b. The SF155ps form shall be completed as follows:

c. School name, course number, and dates;

d. Student names, list in alphabetical order by last name, first, middle initial;

e. Complete all blanks for applicable skill areas with “S” (Satisfactory), “U” (Unsatisfactory), or “N/A” (Not Applicable);

f. List the percentage of non-mandatory Commission hours the student missed. This is calculated by dividing the number of hours missed by the number of non-mandatory Commission hours;

NOTE: Students who miss more than 10% of Commission non-mandatory classes are not eligible to take the state certification examination.

g. The exam score column will be completed by the Certification Officer;

h. Commander's signature and date.

6.1.8 SPO score sheets for First Aid/CPR/AED, Subject Control Techniques, Incident Command System, and National Incident Management System. Students, who successfully pass Unit 8 First Aid/CPR/AED, must be provided by their academy a copy of their certification from the American Heart Association, American Red Cross, or the American Safety and Health Institute.

If applicable, the original Firearms SPO score sheets and the written test (SF145ps) shall be submitted to OPOTC with the closing paperwork. Firearms Proficiency Testing Record for each weapon for which a certificate of completion is sought must be submitted.

The School Commander shall sign the Written Test SF145ps. The Commander, all Instructors, and Safety Officers present will sign each SPO score sheet for the Firearms Proficiency Testing Records. Original signatures are required; no stamped signatures will be accepted.

The SF135ps Semi-Auto Pistol Proficiency Testing Record
The SF130ps Revolver Proficiency Testing Record
The SF140ps Shotgun Proficiency Testing Record

The original SPO score sheets for Subject Control Techniques, First Aid/CPR /AED, and test results for ICS and NIMS shall remain on file with the academy.

6.1.9 If Firearms is applicable, organize Student Paperwork as a collated packet for each student in the following order: SF115unv, SF101unv, SF145ps, and Firearms Proficiency Testing records. Staple each student packet together. Submit the packets in alphabetical order as reflected on the Student Enrollment List.

6.1.10 SF175unv—Closing Letter

6.1.11 EX705—Qualification Form. This form shall be completed as follows:

a. Complete entire form;

b. All Private Security Academic schools must be audited by an OPOTC Field Agent prior to the state certification examination. The Field Agent shall sign and date the EX705 in order for the academy to be eligible to test;

c. Send the signed EX705 to the OPOTC Testing Coordinator at least 48 business hours prior to the scheduled test date;

e. A copy of the EX705 must be sent with the closing paperwork to the OPOTC Certification Officer.

6.1.12 EX710 Academy Roster shall be completed in its entirety as follows:

a. List student names alphabetically by last name, first name, middle initial;

b. List only those students who are eligible to test and attending on that particular test date;

c. Send the signed EX710 to the OPOTC testing coordinator at least 48 business hours prior to the scheduled test date;

d. The EX710 shall be sent with the closing paperwork to the OPOTC Certification Officer.

Section 7 – Academic Program
State Certification Examination

7.1 State Certification Examination

7.1.1 The Commission Testing Coordinator will contact the School Commander with the test results. The examination results will be released to the School Commander or a designated contact person.

7.1.2 The Testing Coordinator will score the examination and notify the School Commander of the scores within five (5) business days following the examination. Please wait for the call from the Testing Coordinator regarding testing results. The School Commander or designated contact person will be notified as soon as test results are available.

7.1.3 Requests pertaining to testing arrangements or examination results shall be made by the School Commander or designated person. Students shall be instructed to contact their Commander directly for testing arrangements and examination results.

7.1.4 Students who fail the examination will be permitted one retest. The retest will be scheduled by the Testing Coordinator to take place within two weeks of the original test date, when possible. This also applies to no-shows with one retest remaining. The School Commander will be notified of the retest date at the same time the School Commander receives the test results.

7.1.5 Students who fail the retest must repeat the Private Security Academic Training course in order to re-take the examination.

Section 8 – Academic Program

Post-Closing Procedures

School Commanders must inform all students of the guidelines for receiving certificates of completion for either the academic or firearms training course.

8.1 Certification of Students

8.1.1 The OPOTC Certification Officer will review all documents submitted in the closing audit.

8.1.2 Private Security certificates will only be issued for students who have passed the state certification examination.

a. A student who successfully completes the Academic Training Course but fails the optional firearms course will receive a certificate for the Academic Training Course only.

b. A student who successfully completes the optional firearms training portion of the Private Security Academic Training Course but fails the Academic Training Course will not receive a certificate.

OAC 109:2-3-11.

8.1.3 Certificates will be returned to the Commander for signature.

8.1.4 The Commander is responsible for the distribution of the certificates to the students.

MIKE DEWINE
OHIO ATTORNEY GENERAL

School Commander Manual for Private Security Firearms Basic Training and Firearms Requalification Courses

OHIO PEACE OFFICER TRAINING COMMISSION

Effective 1-1-14

Commander Manual for
Private Security Firearms Basic and Requalification Training Course

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Commander Manual for
Private Security Firearms Basic and Requalification Courses

This manual has been designed to assist the Commander in conducting Ohio Peace Officer Training Commission approved Private Security Firearms Basic Training and Firearms Requalification Courses. The format is broken down into five sections:

Section One:	Application and Pre-Opening Organization
Section Two:	Opening Audit
Section Three:	Ongoing Procedures
Section Four:	Closing Audits Procedures
Section Five:	Post-Closing Procedures

Each section includes requirements, procedures, policies and explanations for proper completion and sequence of the required OPOTC forms for Private Security Academic Training. You may find all OPOTC Private Security Training Forms by visiting our website at www.OhioAttorneyGeneral.gov, and selecting Law Enforcement Training Forms.

School Commanders should immediately contact and consult with their respective Field Agent with questions. If the Field Agent is unavailable, please contact the assigned Certification Officer.

Firearms Basic and Requalification Glossary of Terms

A number of terms and phrases are used throughout the discussion of OPOTC regulations and requirements pertaining to Private Security Training programs. While not comprehensive, the following glossary shall help familiarize School Commanders with this terminology.

a. Application: School Commanders intending to conduct an OPOTC Private Security Firearms Basic Training program must first apply for OPOTC approval of their proposed training academy.

b. Attendance: The OPOTC Private Security Firearms Basic and Requalification course hours are all mandatory. Any time missed must be made up by the close of the final day of class for either course in which a student is enrolled.

c. Audit – Firearms Basic/Requalification: Review of all records for a Private Security Academic Training Course which is conducted by Commission staff.

Opening Audit: A review of the Training Course application and supporting documents by the Certification Officer. The Commander must submit the paperwork and associated fee, to the OPOTC twenty-one (21) days prior to the first day of class.

Final Audit: A review of all course records conducted by the Certification Officer. Certificates of completion will be issued to successful students.

d. BCI&I: Bureau of Criminal Identification and Investigation.

e. Commander: The individual appointed or employed by a training institution and certified by the Executive Director as chief administrator of a Private Security Training Program.

f. Commander Conference: A meeting conducted by the Commission to fulfill one of the requirements for Commander renewal defined in OAC 109:2-3-04(F) (See Appendix A).

g. Commission: The Ohio Peace Officer Training Commission.

h. Course: The Private Security Academic, Firearms Basic, or Requalification course conducted by a Commission certified Private Security Commander.

i. Credit: Schools cancelled five business days prior to the first scheduled day of class, shall result in fees being credited to the academy account. Schools cancelled with less than five days prior to the first day of class will forfeit their application fee, unless the Executive Director determines that the cancellation is due to a weather emergency, an instructor illness, or other unforeseen event.

a. **Use of Credit:** Commanders must notify the Certification Officer in writing (or email) that they choose to use a portion or all of their current credit on file with OPOTA to apply towards opening or closing fees.

j. **Curriculum:** OPOTC official lesson plans containing Student Performance Objectives for all topics taught in a Private Security Training Program. The curriculum is released January 1st and July 1st each year.

k. **Curriculum Code:** Specific number assigned to each school identifying OPOTC official curriculum in effect at the time the school was opened. The curriculum code is required for state certification examination purposes.

l. **Executive Director:** The Executive Director of the Ohio Peace Officer Training Commission.

m. **Firearms Basic Training Course (PSB):** The training consists of a minimum of twenty (20) hours for handgun training and/or a minimum of five (5) hours for shotgun training.

n. **Firearms Certification:** The renewal date for the initial firearms certification shall be established as eighteen months from the date of completion of the firearms basic training course. **Thereafter, the firearms certification must be renewed each year prior to the expiration date printed on the certificate.** In order to renew, the individual must successfully complete an OPOTC approved Private Security Requalification Course (PSR). If someone completes requalification more than 90 days prior to the renewal date, the new renewal date becomes the last day of the requalification class.

Otherwise, the renewal date shall remain constant each year, until such time as the individual fails to requalify prior to the expiration date of a current certification period. Failure to act shall void the renewal date and the firearms basic training course must be repeated.

o. **Firearms Requalification Course (PSR):** The training course required to renew a firearms certification. A minimum of four (4) hours is required for the requalification course.

p. **Lesson Plan:** Instructional materials provided in outline form by OPOTC to School Commanders and Instructors which contain the Student Performance Objectives.

q. **NOV – Notice of Violation:** A letter sent to a Commander, instructor or both, by the Executive Director of the Commission which notifies the individual that he or she has violated a particular section of the Ohio Administrative Code and/or Commander's Manual and the actions, if any, which must be taken to remedy the violation. NOV's may be used as a basis for de-certification.

r. **OAC:** Ohio Administrative Code.

s. **On-site Inspection:** A review of the training facilities by the Field Agent during which the Commander must be present. The inspection is to be conducted prior to the facility being used to teach OPOTC topics.

t. **ORC:** Ohio Revised Code.

u. **PSC:** Private Security Commander for Academic and Firearms Schools.

v. **PSF:** Private Security Commander for Firearms only.

w. **School Number:** Once OPOTC approval is granted for a class of students, a school number will be assigned that is unique to that individual class. For example, PSB10-025, which includes the type of school (Private Security Firearms Basic Training), the school year (2010), and the number assigned to that particular class (the 25th Private Security Academic Training class of the year 2010).

x. **School/Training Facility:** The physical site used to conduct training as approved by the Field Agent.

y. **Skills Topics:** Topics of the Training Course which must be successfully completed and passed by each student: Firearms, First Aid/CPR/AED, Subject Control Techniques, Incident Command System, National Incident Management System.

z. **SPO:** Student Performance Objectives are concepts or particular items within the curriculum upon which the written SPO test (SF145ps) for firearms basic and requalification courses are based. Student Performance Objectives are also listed on the Proficiency Testing record for the weapon for which certification is sought.

Section One – Firearms Basic and Requalification

Pre-Opening Organization

This section explains requirements for Commanders, Instructors and Teaching Facilities.

1.1 School Commanders

1.1.1 A person desiring to become a School Commander for any OPOTC approved training must submit an application to the OPOTC for approval. The School Commander's application must be filed and approved by the OPOTC before any other action can be taken.

1.1.2 A person applying to become a School Commander must be associated with an existing or proposed training academy.

1.1.3 The minimum qualifications for a Private Security Firearms Commander are:

i. High school graduate or possession of a General Education Development (GED) certification; and

j. Five years full time experience in the private security field, a security-related field or the equivalent, as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

k. Three professional references from individuals currently employed in security or a security-related field in a management-level position, who have known the individual for at least three years; and

l. No conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal records check through the Bureau of Criminal Identification and Investigation must be submitted with the application.

OAC 109:2-3-04 (D)

1.1.4 Once the application is approved by the Executive Director, a site inspection and commander orientation will be conducted by Commission staff prior to a commander certificate being issued.

1.1.5 Only Commission certified Commanders may conduct the Private Security Basic and/or the Requalification Training Courses. The Commander of record for a specific school may not allow any person not approved by the Commission to function as the Commander. If this occurs, the Commander will be in violation of Commission policy and is subject to de-certification. The course approval may also be revoked.

1.1.6 A School Commander may not participate as a student in any portion of a private security training program for which the student is serving as Commander of record.

1.2 Teaching Facilities

1.2.1 Certain facilities and equipment are required to be available to conduct a course. See OAC 109:2-3-03(A) for guidance on proper facilities and their composition. Classroom occupancy must not hinder the training or safety of the students.

a. Each facility shall have available the following:

1. A classroom with adequate heating, lighting and ventilation, that is relatively free from external distractions;
2. A chalkboard or other marking board with chalk or equivalent;
3. Tables and chairs or seats with arms for writing for each student;
4. Audio-visual equipment, including but not limited to overhead projector and videocassette player or other comparable viewing apparatus;
5. A lectern, stand or table for the instructor's use;
6. Access to a commission-approved firearms range;
7. Restrooms that will accommodate all students; and
8. Any other equipment or facilities as required by the Executive Director.

OAC 109:2-3-03(A).

b. Firearms basic certification or requalification courses will not require audio-visual equipment, or a gymnasium or other large indoor area.

c. The Executive Director may deny a request for approval of a training facility for failure to meet minimum requirements as set forth in this chapter.

d. The Executive Director may revoke the approval of a training facility for failure to maintain minimum requirements as set forth in this chapter.

e. Should the Executive Director deny or revoke approval of a training facility, the affected party may request an administrative hearing before the Commission.

1.2.2 Firearms Ranges must comply with the Firearms Range Policy (See Appendix B).

NOTE: During the practical exercise, only students enrolled in the training may share the range, regardless of the number of empty stalls between them.

1.2.3 On-Site inspection by the Field Agent.

a. An inspection must be conducted and the facility (facilities) must be approved ***before*** a site may be used to conduct Commission approved training and may need to be re-

inspected for the reasons cited below. Generally the Commander must be present during all aspects of the inspection. The Field Agent will inspect and approve all facilities for that school once every three years.

b. Additional site inspections may be conducted by the Commission staff:

1. When a new Field Agent is assigned (on other than a temporary basis);
2. When a new Commander is assigned;
3. When a previously inspected training site is changed;
4. At the discretion of the Field Agent.

c. A site inspection of all training sites may be conducted at any time by Commission staff.

d. If the facility is not approved, the school application will be denied.

1.3 Instructors

1.3.1 Only Commission certified instructors may teach OPOTC topics during OPOTC approved training programs. The School Commander is responsible for ensuring that each instructor is properly certified.

1.3.2 No conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a recent criminal record check through the Bureau of Criminal Identification and Investigation must be submitted with the application.

1.3.3 An instructor may not be a student in any portion of a private security training program for which the instructor is an instructor of record.

Unit Instructors

1.3.4 To become an OPOTC certified unit instructor, a person must apply to the Commission for certification. Instructor applications must be signed by an OPOTC certified Private Security School Commander.

1.3.5 The minimum qualifications for a unit instructor in the Private Security Training Program are:

a. High school graduate or possession of a General Education Development (GED) certificate;

b. Five years full time experience in private security or related field;

c. Completion of a forty-hour instructional skills course (and 14 hour update) or eighty-hour instructional skills course taken after July 1, 2007 or equivalent;

d. Completion of an OPOTC approved instructor level training program approved by the Executive Director which will allow a person to learn specific knowledge and skills in a unit for which certification is requested.

e. Firearms Only - Documentation of three years full time experience as an armed security officer with the weapon for which certification is sought;

f. Certified copy of a current criminal history report conducted by BIC&I and attached to the application;

g. Recommendation of currently approved OPOTC Private Security Commander.

OAC 109:2-3-05 (B).

1.3.6 An instructor's certification must be current and shall not expire prior to the date on which the instructor is scheduled to teach during a training academy. Instructors may only teach topics and/or units for which they have been certified. If any OPOTC topics or units are taught by an expired or non-certified instructor, the class may not be allowed to receive a certificate of completion for a basic or requalification course.

1.3.7 Instructors' certification numbers and topics must be verified by the Commander for each topic the instructor is schedule to teach. Commanders are required to keep a copy of each instructor's certificate on file.

1.3.8 The School Commander is responsible for ensuring that instructors use the most current version of Firearms lesson plans. The School Commander must provide instructors with copies of the OPOTC suggested lesson plans or review the instructor's proposed lesson plans to ensure that the instructor covers the OPOTC Student Performance Objectives (SPOs), which forms the basis for the completion of written student performance objectives test (SF145ps) and the Proficiency Testing Records (Revolver-SF130ps, Semi-Automatic Pistol-SF135ps, or Shotgun-SF140ps) for the weapon(s) for which the student is seeking certification of completion. New lesson plans are released twice a year for schools beginning on or after January 1st and July 1st.

1.3.9 Commanders must maintain a current copy of each instructor certificate to serve as a guide during schedule preparation. This file is subject to inspection by the Field Agent upon request.

1.4 Students - The Commander must inform every perspective student of the following:

1.4.1 All inquiries from the student shall be directed to the Commander. If the Commander cannot resolve the matter, the Commander will contact Commission staff.

1.4.2 Prospective students subject to a state or federal weapons disability, or who are unsure if

they are subject to such a disability, may **not participate** in any portion of the optional firearms training, or any classroom training that involves the handling of a firearm, unless and until relieved of the disability and unless and until the OPOTC Executive Director notifies both the student and the School Commander that the potential weapons disability issue has been favorably resolved. (See ORC 2923.13, Appendix C, and USC Title 18 USC 921). This matter shall be strictly interpreted, and, as a violation could lead to criminal or civil liability for the prospective student, the instructor, and/or the commander, such a violation shall be considered a serious commander certification violation.

1.4.3 Pursuant to ORC 2923.21, no person under the age of eighteen may participate in any portion of the firearms training.

Section 2 – Firearms Basic and Requalification
Opening Audit

The Commander must submit to the Certification Officer the opening paperwork and the appropriate fee at least twenty-one (21) days prior to the first day of the course in which OPOTC topics will be taught. Violations of this time frame could result in denial of the application and fees held on account. If the appropriate fee or purchase order has not been submitted (See Appendix D); or if any portion of the application is incomplete or incorrect, the school will not be opened until everything has been received and/or corrected.

2.1 Opening Procedures

2.1.1 The School Commander will submit the required paperwork, in the order listed below to the Certification Officer to conduct the opening audit. During the opening audit, the Certification Officer will review opening forms to ensure compliance with OPOTC requirements.

2.1.2 Once the opening paperwork has been approved, a distinctive school number will be issued in the opening letter. The Commander may then proceed in accordance with the school calendar.

2.1.3 Classes shall not begin unless and until an OPOTC school number has been issued. The OPOTC will not recognize any training class, or portion thereof, conducted prior to the issuance of the opening letter and school number.

2.1.4 If a School Commander does not receive written approval at least five (5) days prior to the first scheduled day of training, the School Commander shall contact the assigned Certification Officer to inquire as to the status of the application.

2.1.5 If the application is denied, the School Commander will be notified in writing of the denial and the reasons for it, along with suggested corrective measures to remedy the problem. No application will be approved unless and until any problems have been corrected to the satisfaction of the OPOTC Executive Director.

2.2 School Application (Form SF100unv)

2.2.1 This form must be computer generated or typewritten and completed in its entirety. Incomplete applications will be returned to the School Commander for completion. Each application must contain the following:

a. Type of School. Basic or Requalification, the appropriate weapon type must be circled;

b. Number of firing points on firearms range;

c. School Name;

d. County name in which the course or school is located;

e. Commander's name and Commission issued commander number;

f. Specify the proposed dates of the course, total hours, and number of students;

g. Days of the week and hours each day that classes are to be held;

h. Total number of mandatory hours;

i. Submit application fee (refer to Appendix D.) To cancel a course you must do so in writing by fax, email, or mail addressed to the Field Agent and the Certification Officer. Courses cancelled five business days prior to the first scheduled day of class, will result in fees being credited to the school account. Schools cancelled with less than five days will forfeit their application fee, unless the Executive Director determines that the cancellation is due to a weather emergency, an instructor illness, or other unforeseen event.

j. Facility address, as the site where the course will be conducted.

k. Range address, as the site where the firearms training will be conducted;

l. Mailing address where all correspondence (i.e., certificates, notices, confirmation letters, etc.) is to be sent;

m. List telephone numbers:

1. Commander (daytime telephone);

2. Facility telephone number;

3. Fax number;

4. Commander cell phone number.

n. List only instructors who are scheduled to teach Commission topics.

o. List each instructor alphabetically by last name, first name, and middle initial.

p. Check the appropriate column(s) for each instructor who is scheduled to teach Firearms. Instructor-to-student ratios must be in compliance with Commission requirements for a skill topic. Firearms safety officers must be indicated with the letters "SO" in the firearms column.

q. List Commission instructor certification numbers for each instructor.

r. List Commission expiration date for each instructor located on the instructor's certificate.

2.2.2 Sign the application on the second page. Signatures may be original, electronic, or by signature stamp.

2.3 Course Calendar (SF105unv) ***Must be typed***

2.3.1 The School Commander must complete the school calendar using the SF105unv form. The calendar shall contain the topic headings as they appear on the Private Security Academic Training Curriculum. Only OPOTC topics are to be listed on the calendar.

2.3.2 The training blocks on the school calendar must include:

a. Date of instruction (e.g., 3/15/11);

b. Day of instruction (e.g., M, T, or W);

c. Number of hours of instruction (e.g., 4);

d. Time (e.g., 6:00 PM to 10:00 PM or 1800 to 2200);

e. OPOTC topic number (e.g., Topic 9-1);

f. OPOTC topic title (e.g., Firearms);

g. Indicate if training is to be held in the classroom or firearms range;

h. The instructor's last name, first name, middle initial and OPOTC instructor certificate number (e.g., Smith, Mark E. PST 29999);

i. List only Commission required topics on the course calendar.

2.3.3 If a School Commander adds hours to a mandatory topic, all hours are mandatory for all students.

2.3.4 Training that is scheduled for more than five (5) hours per training day must have at least a 30-minute break period. This break period must be evident on the school calendar, and shall be scheduled approximately in the middle of the training day. If training exceeds ten (10) hours in a given day, an additional 30-minute break must be scheduled so that no one block of training time exceeds five (5) consecutive hours without a break.

2.3.5 Classes from separate academies may not be joined together for the same training session. For example, if a school has both a daytime program and a concurrent nighttime program, they may not be joined together to share the same classroom/range and set of instructors. Should a day class and a night class have training at the same facility at the same time (e.g., on a Saturday), they must be scheduled to be in separate classrooms/ranges with their own instructor(s).

2.3.6 Effective June 29, 2011, the Private Investigator Security Guard Services (PISGS) requires all BCI and FBI background checks to be conducted within thirty (30) days of submitting a PISG application to them per R.C. 4749.031. Students are not required to complete a background check prior to participating in a Private Security Academy for OPOTC. However, a student subject to state or federal weapons disability who participates in firearms training may be in violation of state and federal law, punishable as a felony offense. A School Commander who allows a student with a weapons disability to participate in firearms training may also be criminally liable.

2.4 Skill Topic Ratios

The Commission requires the following instructor-to-student ratios during the practical portion of the Firearms topic:

a. Unit 9, Firearms, one (1) OPOTC Commission certified firearms instructor for every five (5) students at the firing line, 1:5. Either a certified firearms instructor or an approved safety officer must be present for all other students not on the firing line.

b. Only an OPOTC approved safety officer may serve. The safety officer must meet the requirements as listed under the "Instructors" section of the Commission Firearms Range Statement (See Appendix B). Safety officers must appear on the application and calendar with the letters "SO" indicated in the firearms column.

c. No more than two students per firing point may be present at the range during the practical firing portion of the training.

For example, a ten-point range may only have 20 students, (i.e. two relays of ten students each). A class with 40 students would be split into two squads of 20 students, with each 20 student squad receiving a total of 20 hours of training. The instructor-student ratio does not apply to classroom training.

NOTE: During the practical exercise, ONLY students enrolled in the firearms training may share the range, regardless of the number of empty stalls between them.

Section 3 – Firearms Basic and Requalification
Ongoing Procedures

3.1 Notification of Changes to School Calendar (SF185unv)

3.1.1 The School Commander shall notify the Field Agent at least 24 hours in advance of any of the following changes to the school calendar:

a. Dates;

b. Topics;

c. Locations (include – facilities, room numbers, range);

d. Times;

e. Cancellations;

f. Instructor(s);

g. The School Commander should also revise the school calendar as changes occur.

3.1.2 The SF185unv form shall contain the following information:

a. School name and number;

b. "A" (add), "D" (delete), or "C" (change) in Instructor Change column (if applicable);

c. Original date;

d. Proposed date;

e. Location of the class;

f. Proposed time of reschedule;

g. Correct OPOTC topic number and title;

h. Instructors last name, first, and middle initial, OPOTC certificate number and expiration date;

i. Date the School Commander notified the Field Agent of the proposed change;

j. School Commander Name Typed/Printed;

k. School Commander Original Signature.

3.1.3 In instances of an instructor addition or substitution, the School Commander shall submit to the Field Agent and Certification Officer a copy of the back of the instructor's certificate along with the SF185 Notification of Changes form.

3.1.4 For same day changes the School Commander shall contact the Field Agent by telephone or by voice message indicating that a change in the school calendar must occur that day and stating the reason for the change. The School Commander will then prepare and send the SF185unv form.

3.1.5 The School Commander shall submit the SF185unv form in its entirety at the closing audit.

3.2 Monitor classes

3.2.1 The School Commander shall be available to answer student questions and provide guidance when appropriate.

3.2.2 The School Commander and Instructors are responsible for maintaining discipline during all training activities.

3.2.3 The School Commander and Instructors shall ensure that required instructor-to-student ratios are met during skills area training, if applicable. Classroom portions of skill area topics do not require instructor/student ratios.

3.2.4 The School Commander and Instructors shall ensure that the correct versions of OPOTC lesson plans are being utilized in class.

3.2.5 The School Commander and Instructors shall give due regard to safety considerations during all training activities (e.g., dangerous weather conditions).

3.3 Sign-in Sheets (SF121unv)

3.3.1 The School Commander shall maintain an accurate sign-in sheet (SF121unv) for each day OPOTC topics are scheduled and make them available for inspection at any time by OPOTC staff.

3.3.2 The sign-in sheets shall contain the following information:

a. School name and number, including prefix (PSA11-000);

b. Date of class;

c. All topic titles, topic numbers, and hours of each topic as scheduled;

d. Total number of hours of the training day (OPOTC topics only);

e. Typewritten name (last name, first name, middle initial) of each student, in alphabetical order;

f. Signature of each student next to their typewritten name;

g. Exact time each student arrives at class for the day (e.g., 7:52 a.m. or 0752);

h. Exact time each student leaves class for a 30-minute break or for an extended amount of time (e.g., court appearances, illness, etc.);

i. Exact time each student re-enters class after a 30-minute break or other extended absences;

j. Exact time each student leaves class at the end of the training day;

k. Signature and instructor certificate number of each instructor teaching topics listed on the sign-in sheet by alphabetic designator;

l. Indicate instructor by circling letter in the boxes next to the topic and title;

m. If there is not adequate space on the sign-in sheet for multiple sign-in and sign-out times; the student shall use an additional copy of the SF121unv to record the additional times;

n. Hours "present" or "absent" for each student.

3.3.3 All scheduled instructors and safety officers (SO's required for firearms classes only) shall sign the sign-in sheets at the conclusion of each class.

3.3.4 The School Commander shall verify the accuracy of each sign-in sheet, then sign and maintain the sheet as indicated above.

3.4 Attendance Roster (SF120unv)

3.4.1 The School Commander shall prepare the attendance roster using form SF120unv. The School Commander shall update this form on a daily basis and keep track of the number of hours and topics that each student must make-up.

3.4.2 The SF120unv shall be completed as follows:

a. School name and number;

b. School dates;

c. Student names - last, first, middle initial listed in alphabetical order;

d. SSN (Social Security Number);

e. D.O.B. (Date of Birth);

f. Dates of classes shall be listed on the top line of the form;

g. Topic numbers shall be listed for all mandatory topics on the last line of the form. If multiple pages are required due to the number of students, the topic numbers for all mandatory topics shall be listed on all pages;

h. School Commander's signature and date;

3.5 Notification of Make-up Hours (SF122unv)

3.5.1 The Commander shall notify the Field Agent and Certification Officer, using the SF122unv, at least 24 hours prior to any student completing a make-up session. The SF122unv shall contain the following information:

a. School name;

b. School number;

c. Student name - last, first, middle initial;

d. Date original class missed;

e. Proposed date of make-up class;

f. Number of hours to be made up;

g. Time of make-up session;

h. OPOTC topic number and title;

i. Instructor's name and certificate number;

j. Location of make-up session;

k. Date form was sent to the Field Agent;

l. After the make-up has been completed the Commander initials form.

m. School Commander name typed;

n. School Commander original signature.

3.5.2 The SF122unv is a continuous form. When the next student requires make-up hours, the School Commander will follow the same process and complete the next line on the form.

3.5.3 School Commanders shall maintain the SF122unv and submit it to the Certification Officer for closing audit, along with a separate form SF120unv, Attendance Roster for just those students who are required to make-up hours. A separate SF121unv Sign-in sheet shall be used for each make-up session. Make-up hours shall not be included on the master SF121unv.

3.5.4 If hours are to be made-up on the same day they were missed, the School Commander shall notify the Field Agent and Certification Officer by telephone or voice message in advance and then fax the SF122unv to the Field Agent and Certification Officer as soon as possible.

3.5.5 If a student arrives late to class, 15 minutes or less, the time and missed material may be made-up at the end of the class day, if the instructor is amenable.

In this case, the make-up may be noted at the bottom of the Student Sign-In Sheet, SF121unv and signed by the instructor. No entry is required on the Notification of Make-up Hours, SF122unv. Make-ups may not be completed on class breaks.

Example, class time is 1800 – 2200 hours. Student Jones arrives late and signs in at 1812 hours. The student may stay over with the instructor and sign out 12 minutes after class dismissal.

3.5.6 If the student is more than 15 minutes late, the time must be made-up in a minimum of one-half hour increments. The missed time must be made up at a later time and documented on the Notification of Make-up, SF122unv and accompanying Student Attendance Roster, SF120unv.

The original instructor who taught a topic may teach a make-up session in the topic on an hour-for-hour basis. If multiple instructors jointly taught the class during the missed hour, one of them may teach the make-up. If a student misses one hour of a mandatory topic, the student may make-up the hour with the instructor who originally taught the missed hour.

However, if the make-up session is taught by a different instructor, that instructor must teach the entire topic. All make-ups must be conducted at an approved site.

3.5.7 All make-up hours must be completed by the last day in which OPOTC topics will be taught in the training academy.

3.6 Class time

3.6.1 The School Commander shall ensure that instructors teach class for the entire time scheduled for each topic.

3.6.2 Clock hour requirement is based on a 50-minute hour allowing for a 10-minute break per hour. Breaks may not be combined (i.e. in order to shorten the class day, extend lunches, delay starting time, etc.).

3.6.3 Class time may not be used for instructor preparation (e.g., making copies, setting up audio-visual equipment, traveling to and from firearms range, etc.).

3.7 Collect All Written Tests and SPO Proficiency Testing Records

a. The student must correctly complete each SPO on the written test (SF145ps).

The student must complete and meet the minimum requirements for each SPO listed on the Private Security Proficiency Testing Record(s): SF130ps—Revolver, SF135ps—Semi-Automatic Pistol, SF140ps—Shotgun to receive a certificate of completion.

Each student is afforded two attempts to complete each SPO. Students who are unsuccessful in answering correctly or attaining the minimum level of proficiency within the allotted two attempts must repeat the entire basic course to be certified in firearms.

b. The SF145ps--Firearms Written Student Performance Objectives Test must be completed in the student's own handwriting and all sections of the questions must be answered correctly. Students who fail the first attempt are given a second and final attempt. If a student fails both attempts, he must retake the entire firearms course and successfully complete all requirements to receive a certificate of completion.

3.7.1 The School Commander shall ensure that all skill area SPO score sheets have been properly completed by the student and instructor.

3.7.2 The School Commander shall sign the Written Test. The Commander and the Instructor(s) will sign each SPO score sheet for the Firearms Proficiency Testing Records. Original signatures are required; no stamped signatures will be accepted.

3.7.3 The original copy of the Firearms SPO score sheet(s) shall be submitted with the closing packet. The School Commander shall keep copies of these forms for the academy file.

Section 4 – Firearms Basic and Requalification

Closing Audit Procedures

The Commander must submit the closing paperwork and the appropriate fee to the Certification Officer for processing no later than 10 days after the school closing.

The Commander will be required to correct any errors, omissions or discrepancies in the closing paperwork before the closing is approved by the Certification Officer.

4.1 Students

4.1.1 The appropriate paperwork for Students shall be submitted to the Certification Officer for the closing audit. All closing documents submitted shall be original, and either computer-generated or typed. All forms shall follow the OPOTC format and contain the same information. The forms to be submitted are as follows:

4.1.2 SF100unv--Revised Course Application, if applicable - indicate all changes from the original, application, including number of students, date, location, time, instructors, weapon, etc.;

4.1.3 SF105unv—Revised School Calendar. This form shall include all dates, times, topics and instructors as it was actually conducted;

4.1.4 SF185unv—Notification of Change in Schedule (if applicable);

4.1.5 SF110unv-Student Enrollment List;

4.1.6 SF120unv—Student Attendance Roster;

4.1.7 SF121unv—Student Sign-in Sheets. The School Commander shall submit the sign-in sheets with the closing audit. Copies of the sign-in sheets must be kept on file by the school;

4.1.8 SF122unv—Notification of Make-up Hours. This form shall include a separate SF120unv, Student Attendance Roster, listing only the make-up hours for each student who was required to make up any portion of a training session; if applicable;

4.1.9 The original Firearms SPO proficiency testing record(s) (SF130ps, SF135ps, SF140ps) and the written SPO test (SF145ps) shall be submitted to OPOTC along with the closing paperwork;

4.1.10 SF175unv—Closing Letter.

4.1.11 Student Enrollment List (SF110unv) ***Must be typed***

The School Commander must complete the form by typing the required information and must include:

a. School name;
b. School number;
c. Proposed dates of the school;
d. List of students in alphabetical order, by last name, first name, and middle initial;
e. SSN (Social Security Number);
f. Date of Birth;
g. School Commander's signature and date.

Student Paperwork – Organize Student Paperwork as a collated packet for each student in the following order: SF115unv, SF101unv, SF145ps, and Firearms Proficiency Testing records. Staple each student packet together. Submit the packets in alphabetical order as reflected on the Student Enrollment List.

4.1.12 SF115unv--Student Enrollment Form (must be typed or printed legibly in ink). Each line of the form must be completed.

The following portions of the form are to be completed by the student:

a. Name (i.e., last name, first name, middle initial);
b. Social security number;
c. Home address;
d. Date of birth;
e. Home telephone number;
f. Work telephone number;
g. Indicate appropriate gender (male or female);
h. Email address;
i. Race;
j. Highest education level completed;

The following portions of the form are to be completed by the Commander:

a. Student Course status;
    1) Mark the weapon(s) to be certified
    2) If this is a requalification course, mark REQ
b. School Commander must sign and date the form;
c. Include school name and course number where requested;
d. The Certification Officer will complete the box marked "OPOTC USE ONLY".

4.1.13 SF101unv - Statement of Understanding (must be printed legibly in black ink by the student) – if firearms training will be conducted.

a. Students must complete the form in its entirety;
b. Students must truthfully answer each of the questions;
c. School Commanders could be held liable for allowing any student with a weapons disability to participate in any portion of firearms training. (Refer to Appendix C);

d. Students must sign the form;
e. Students' signatures must be notarized.

NOTE: If a student answers "YES" to any question other than number 19, the student shall not be permitted to participate in any portion of firearms training until further documentation (i.e. copy, certified by the clerk of courts, of the final journal entry, medical release, etc.) has been submitted to the Executive Director. The Executive Director will make a determination regarding eligibility and will return such in writing.

Each of the following Student Performance Records must be completed in their entirety. Print or type clearly:

4.1.14 SF145ps - Firearms Written Student Performance Objectives Test.

Student completes the following – print or type:

a. Student's name – first name, last name, middle initial;
b. Date;
c. Agency;
d. All test questions, and each section of the individual questions;
e. Student's signature;

Commander MUST complete the following:

b. Check/mark "1st" attempt or "2nd" attempt if applicable;
c. School name;
d. Course number;
e. Commander's signature – original;
f. Date;
g. Commander's name (typed or stamped).

4.1.15 SF130ps; SF135ps; SF140ps - Firearms Proficiency Testing Record for each weapon for which a certificate of completion is sought. Print or type legibly.

The student must complete the following information:

a. Student name – first, middle initial, last;
b. Agency (if applicable)
c. Gun manufacturer;
d. Model;
e. Caliber or gauge;
f. Ammunition manufacturer;
g. Bullet weight or shot size;
h. Power factor;
i. Revolver only – indicate – six or five shot.

The School Commander must complete the following information:

a. Indicate Pass (P) or Fail (F) for **ALL** Performance Objectives;
b. Successfully completed – mark or circle Y or N;
c. Date;

d. Original signature of each instructor present, instructor number, safety officer signature;
e. School name;
f. Course number;
g. Commander signature – original;
h. Date;
i. Commander name (typed or stamped).

4.1.16 Firearms Re-qualification courses – Submit a copy of each students most current OPOTA Basic or Requalification certificate reference 109:2-3-10.

Section 5 – Firearms Basic and Requalification Program
Post-Closing Procedures

All inquiries from the students regarding certificates and the status of the closing shall be directed to the Commander.

5.1 Certification of Students

5.1.1 The Certification Officer will review all documents submitted in the closing audit.

5.1.2 Private Security Basic or Requalification certificates will only be issued for students who have passed all required student performance objectives for the course.

5.1.3 Certificates will be returned to the Commander for signature.

5.1.4 The Commander is responsible for the distribution of the certificates to the students.

5.2 Records Maintenance

School Commanders are strongly encouraged to consult with legal counsel regarding their responsibility to maintain sign-in sheets, SPO score sheets and other school records for each student who attends a Private Security Academic and Firearms Basic Training Program.

APPENDIX A

OHIO ADMINISTRATIVE CODE

109:2-3

Effective 1-1-14

Chapter 109:2-3 Private Basic Course Training Program

109:2-3-01 Definitions.

When used in this chapter:

(A) The term "commission" means the Ohio peace officer training commission;

(B) The term "commander" means the individual, appointed or employed by a training institution and certified by the executive director, as chief administrator of a private security training program;

(C) The term "executive director" means the executive director of the Ohio peace officer training commission;

(D) The term "course" means any private security training program as certified by the executive director of the Ohio peace officer training commission;

(E) The term "private security academic training course" means the training prescribed in this chapter conducted by a private security commander who has been approved and certified in accordance with the rules of this chapter;

(F) The term "private security basic firearms certification course" means the training prescribed in this chapter intended to satisfy the requirements of division (B)(1) of section 109.78 and Chapter 4749. of the Revised Code;

(G) The term "private security firearms requalification course" means the training prescribed in this chapter intended to meet the requirements of division (B)(2) of section 109.78 and Chapter 4749 of the Revised Code;

(H) The term "private security officer" means a person in any position as listed in section 109.78 of the Revised Code which includes persons employed and compensated by a private organization for the purposes of enforcing the ordinances and laws they are empowered to enforce, or to enforce the rules as outlined by said employer on private property or on the property of another who has entered into a formal agreement with the employer to provide such services;

(I) The term "management-level" means a position at a level, within a business or governmental entity, with responsibility for control and direction of personnel and programs, in which the individual is vested with discretionary powers of direction and decision making.

(J) The terms "school" and "training facility" mean the physical site used to conduct training.

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109:2-3-02 Statements of purpose.

(A) Private security academic training course

(1) The purpose of this voluntary course is to provide a certified training curriculum approved by the commission for those seeking employment in the private security field. This curriculum and its student performance objectives are the minimum academic standards for completion of the course.

(2) Nothing in these rules shall limit or be construed as limiting the commander from establishing additional training objectives or success criteria above those established by the commission. Where a conflict may arise, commission rules or standards will supersede those of the commander.

(3) Instruction in company, department or agency rules, local ordinances, or school rules may be given upon local initiative. No portion of the instructional time devoted to this part of the training shall be credited toward the hours of instruction and topics required for completion of the certification course.

(B) Private security basic firearms training and requalification courses

(1) The private security basic firearms training and requalification courses are designed to meet the requirements for such training and requalification as established in section 109.78 and Chapter 4749. of the Revised Code.

(2) These courses are designed to prepare students to perform armed functions while on security duty. Nothing in these rules shall be construed as limiting the employing authority or agency from enacting rules and regulations which establish higher standards of training or qualification than those of the commission.

(3) No instruction other than the commission-approved training shall be credited toward the hours or objectives required for basic firearms certification or requalification.

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109:2-3-03 Approval of training facilities.

(A) Each facility shall have available the following:

(1) A classroom with adequate heating, lighting and ventilation, that is relatively free from external distractions;

(2) A chalkboard or other marking board with chalk or equivalent;

(3) Tables and chairs or seats with arms for writing for each student;

(4) Audio-visual equipment, including but not limited to overhead projector and videocassette player or other comparable viewing apparatus;

(5) A lectern, stand or table for the instructor's use;

(6) A gymnasium or large indoor area for teaching unarmed self-defense, first aid, and other physical skills topics, supplied with appropriate safety and training equipment;

(7) Access to a commission-approved firearms range, if applicable;

(8) Restrooms that will accommodate all students; and

(9) Any other equipment or facilities as required by the executive director.

(B) Basic firearms certification or requalification courses will not require audio-visual equipment or a gymnasium or other large indoor area.

(C) Denial or revocation of approval of a training facility.

(1) The executive director may deny a request for approval of a training facility for failure to meet minimum requirements as set forth in this chapter.

(2) The executive director may revoke the approval of a training facility for failure to maintain minimum requirements as set forth in this chapter.

(3) Should the executive director deny or revoke, approval of a training facility, the executive director shall comply with rule 109:2-3-13 of the Administrative Code.

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109:2-3-04 Certification of commanders.

(A) Each commander is required to obtain certification from the executive director in order to conduct private security training courses. Such certification will be based upon the submission of a notarized, typewritten statement of qualifications, on a form prescribed by the executive director, by the person seeking certification as a commander. The commander shall conform to the minimum qualifications as set forth in this chapter and must be associated with an approved training facility. Substantiating documentation of qualifications shall accompany the application at the time of submission.

(B) Minimum qualifications for certification as a private security academic training course commander shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate; and

(2) Three years full time experience in the private security field, a security-related field or the equivalent, as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

(3) Two years full time experience in a management-level position or completion of ninety quarter hours or sixty semester hours at an accredited college or university; and

(4) Three professional references from individuals currently employed in the security or a security-related field in a management-level position, who have known the individual for at least three years; and

(5) No conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal records check through the bureau of criminal identification and investigation must be submitted with the application.

(C) Joint vocational school private security commanders may be exempted from requirements of paragraph (B)(2) of rule 109:2-3-04 of the Administrative Code by the executive director. This certificate will be specific for those commanders conducting commission-approved courses in joint vocational schools only.

(D) Minimum qualifications for certification as a basic firearms commander or requalification commander.

(1) High school graduate or possession of a "general education development" certification; and

(2) Five years full time experience in the private security field, a security-related field or equivalent as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

(3) Three professional references from individuals currently employed in the security or a security-related field in a management-level position, who have known the individual for at least three years; and

(4) No convictions for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(E) Once the application is approved by the executive director, a site inspection and commander orientation will be conducted by commission staff prior to a commander certificate being issued.

(F) Renewal requirements

(1) Certification shall be renewed every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the individual shall submit, on a form prescribed by the executive director, an application for renewal.

(2) Renewal requirements shall be as follows:

(a) Must conduct at least two courses within the three year period; and

(b) Attend at least one commander conference conducted by the commission;

(i) Should the commission not conduct a conference within the period of certification, this requirement will be suspended for the affected renewal.

(ii) Should the commission conduct only one conference within the period of certification but the individual fails to attend, this requirement can be met by completing another orientation program, as conducted by commission staff.

(3) Renewal shall be effective for three years.

(G) Denial of issuance or renewal of commander certification, or revocation of certification.

(1) The executive director may revoke or refuse to issue or renew certification of an individual for the following reasons:

(a) Failure to meet renewal criteria;

(b) Failure to meet renewal deadline;

(c) Failure to maintain satisfactory ratings on commander evaluations;

(d) Submission of falsified records or renewal documentation;

(e) Violations of the rules of this chapter;

(f) Conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses; and

(g) Any other good cause shown.

(2) Should the executive director refuse to issue or renew a certificate, or choose to revoke an individual's certification, the executive director shall comply with rule 109:2-3-13 of the Administrative Code.

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109:2-3-05 Certification of instructors.

(A) All instructors are required to be certified by the executive director to teach in the private security training program by the executive director. All persons requesting approval as an instructor shall submit a notarized application on a form prescribed by the executive director indicating each topic or unit of topics for which the person is seeking approval. Supporting documentation of qualifications shall accompany the application at the time of submission.

(B) Minimum qualifications for certification as a unit instructor shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate; and

(2) Five years full time experience in the private security or a related field or the equivalent, as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

(3) Completion of a course of instruction approved by the executive director designed to prepare the individual to teach. Such courses shall include instruction in the theories of learning, teaching techniques, behavioral objectives, use of audio-visual aids, and an exercise in practice teaching. Credit for this requirement may be granted by the executive director for equivalent training or experience; and

(4) Completion of an instructor-level training program approved by the executive director which will allow a person to learn specific knowledge and skills in a unit for which certification is requested; and

(5) Persons seeking approval as a firearms instructor shall meet the requirements of this section and also provide documentation of three years full time experience as an armed security officer with the weapon for which certification is sought; and

(6) No conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(C) Topic instructors will be certified only to teach topics within a unit or units of the curriculum, not to exceed five topics. Topic instructors shall not be eligible for approval for the unarmed self-defense and firearms units. Minimum qualifications for certification as a topic instructor shall be as follows:

(1) High school diploma or "general education development" certificate; and

(2)(a) Persons licensed, degreed or professionally certified in particular disciplines such as medical doctors, attorneys, nurses, counselors, protection professionals and teachers of specialized subjects related to the private security training course may qualify. Persons licensed, degreed or certified in a particular discipline may be eligible to teach all topics within their area of expertise; or

(b) Persons formally recognized for their professional competency in the security, health, fire safety or other related areas must have a minimum of two years experience; and

(3) No conviction for a felony or crime of moral turpitude including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(D) Renewal of certification

(1) Unit instructors shall renew their certification every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file, on a form prescribed by the executive director, the following:

(a) Written evidence from the commander(s) that the instructor has taught in at least two commission-approved courses during the most recent certification period; and

(b) Must attend at least fifteen clock hours of professional development or continuing education relative to at least one of the areas for which the individual is certified, during the most recent certification period. Documentation of attendance or completion from the training agency or institution must be submitted.

(2) Topic instructors shall renew their certification every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file, on a form prescribed by the executive director, the following:

(a) Written evidence from the commander(s) that the instructor has taught in at least two commission-approved private security courses during the most recent certification period; and

(b) Proof that certification or license submitted as basis for original certification or most recent renewal is still valid, or has been renewed and is in good standing with the issuing body, or present documentation that they are still actively involved in the participation or practice of the topic area or areas for which certification was granted.

(E) The executive director may revoke or refuse to renew certification of an individual for the following reasons:

(1) Failure to meet renewal criteria;

(2) Failure to meet renewal deadline;

(3) Submission of falsified records or renewal documentation; or

(4) Unacceptable performance evaluations;

(5) Conviction for a felony or crime of moral turpitude involving but not limited to theft, fraud, falsification, drug or sex offenses; or

(6) Any other good cause shown.

(F) Should the executive director refuse to issue or renew a certificate, or choose to revoke an individual's certification, the executive director will comply with rule 109:2-3-13 of the Administrative Code.

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109:2-3-06 Approval of courses.

(A) Commanders of any private security training course must be in compliance with rules 109:2-3-03, 109:2-3-04, and 109:2-3-05, the Administrative Code prior to the submission of an application to conduct a course.

(B) Application requirements for the academic training course.

(1) On a form prescribed by the executive director, the commander shall submit an application and appropriate application fee to the executive director to conduct an academic training course no later than twenty-one days prior to the first day of the course. Included with those items shall be a proposed training calendar, which shall list the following:

(a) Commission topics to be taught;

(b) Instructors' full names, commission-issued certification numbers, and expiration dates of certificates;

(c) Dates of instruction for each topic;

(d) Clock time of instruction for each topic; and

(e) Any other information as may be required by the executive director.

(C) Minimum of six commission-certified instructors must be scheduled to teach in the private security academic training courses.

(D) The commander must have prior written approval from the executive director to conduct the academic training course. This approval shall be valid only for the proposed dates indicated on the application form.

(E) Denial of an application or revocation of course approval.

(1) Courses which are not in compliance with the rules of this chapter will be denied.

(2) Approved courses which are found to be in violation of the rules of this chapter may have their approval revoked by the executive director.

(3) Should the executive director deny an application or revoke approval to conduct a course, the executive director shall comply with rule 109:2-3-13 of the Administrative Code.

(F) Within three calendar days after the course has begun, the commander shall forward to the executive director, on forms prescribed by the executive director, a student enrollment list and an enrollment package, for each student.

(G) Upon completion of the course, the commander shall forward to the executive director all required records, as prescribed by the executive director.

(H) Application requirements for the basic firearms and requalification courses.

(1) On a form prescribed by the executive director, the commander shall submit an application and appropriate application fee to the executive director to conduct a basic firearms or requalification course no later than twenty-one days prior to the first day of the course. Included with those items shall be a proposed training calendar, which shall list the following:

(a) Dates of training for classroom and firing range;

(b) Instructors' full names, commission-issued certification numbers, and expiration dates of certificates;

(c) Clock time of instruction; and

(d) Any other information as may be required by the executive director.

(2) The commander must have prior written approval from the executive director to conduct the basic firearms or requalification course. This approval shall be valid only for the proposed dates indicated on the application form.

(3) Denial of an application or revocation of course approval.

(a) Courses which are not in compliance with the rules of this chapter will be denied.

(b) Approved courses which are found to be in violation of the rules of this chapter may have their approval revoked by the executive director.

(c) Should the executive director deny an application or revoke approval to conduct a course, the executive director shall comply with rule 109:2-3-13 of the Administrative Code.

(4) Upon completion of the course, the commander shall forward to the executive director all required records, as prescribed by the executive director.

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109:2-3-07 Attendance requirements.

(A) private security academic training course

(1) Attendance is required at all sessions of the course.

(a) Absence of ten percent or less.

When a student is absent for ten percent or less of the non-mandatory commission-required hours of the training course in which the student is enrolled, the school commander may excuse the absence, if in the commander's judgment, the absences were for valid reasons, including but not limited to illness of either the student or the student's immediate family or an emergency employment situation. The student shall provide the commander with written documentation listing the reasons for the absence. The commander may require the student to make up the missed hours of training.

(b) Absence of more than ten percent of the non-mandatory commission-required hours.

If a student misses more than ten percent of the non-mandatory commission-required hours of the course, the student will not be eligible to take the final examination and will fail the course.

(B) One hundred per cent attendance shall be required for The mandatory topics of laws of arrest, search and seizure, cultural sensitivity, unarmed self-defense, and first aid, any portion of any firearm training course which is conducted and any other topic designated by the Ohio general assembly or the commission.

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109:2-3-08 Notebook.

(A) Each person enrolled in the private security academic training course shall maintain a notebook, as one of the requirements for certification, the notebook shall be periodically reviewed and evaluated as satisfactory or unsatisfactory by the commander. The notebook shall contain appropriate entries of pertinent material covered during the classroom sessions of the training course. Among the factors to be evaluated in the notebook, shall be:

(1) Sufficiency of course content;

(2) Organization;

(3) Appropriateness of material;

(4) Regularity of entries;

(5) Neatness;

(6) Accuracy; and

(7) Legibility.

(B) Notebooks and the grades assigned to them by the commander are subject to review by the executive director at any time.

(C) Any person whose notebook has been evaluated as unsatisfactory by the commander shall not be eligible to take the final examination, and will fail the course.

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109:2-3-09 Examination.

(A) The Ohio peace officer training commission will prepare, conduct and score a final examination for each person successfully completing the private security academic training course. Each student recommended for certification must pass the final examination with a minimum score to be determined by the commission. Special skills training such as first aid, firearms, and unarmed self-defense, which are tested through practical demonstrations, will not be covered on the final examination.

(B) No student shall participate in the final examination who has not successfully completed first aid or unarmed self-defense, or has failed to submit a satisfactory student notebook.

(C) No student shall participate in the final examination who has failed to meet the minimum attendance requirements established by the commission.

(D) The results of this examination shall be made known to the commander within five business days of the date administered. Persons failing to achieve the designated minimum score shall be given one retest. This retest shall normally be given within two weeks of the date the commander is notified of the initial examination results. The results of the retest shall be made known to the commander within five business days of the date administered. Students who fail the retest shall not be permitted to take the final examination again until they successfully complete another private security academic training course.

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Promulgated Under: 119.03
Statutory Authority: R.C. 109.74
Rule Amplifies: R.C. 109.73, R.C. 109.75, R.C. 109.78
Prior Effective Dates: 5/1/1970, 2/27/1987, 10/1/1993, 1/1/2001

109:2-3-10 Firearms Certification.

(A) Persons holding positions listed in section 109.78 of the Revised Code in which such persons go armed while on duty shall successfully complete a basic firearms training course which includes a minimum of twenty hours of training in each handgun to be used, and, if the shotgun is to be used, a minimum of five hours of training in the use of the shotgun. In order to successfully complete this course of instruction, a student must pass each student performance objective outlined in the commission-approved basic firearms course. Failure to pass any objective results in failure of the course.

(1) Certification shall be valid for a period of eighteen months from the date of completion of the basic firearms training course.

(2) The renewal date for initial requalification shall be established as eighteen months from the date of initial certification. That date shall remain constant each year, until such time as the individual fails to requalify prior to the expiration date of a current certification period. Such failure to act shall void the renewal date and a commission-approved minimum twenty-hour basic firearms training course shall be repeated.

(B) Persons holding positions listed in Ohio Revised Code 109.78 in which such persons go armed while on duty shall be required, on an annual basis, to successfully complete a minimum of four hours of a firearms requalification course approved by the Ohio peace officer training commission. In order to requalify, a person must pass each student performance objective outlined in the firearms requalification course. Failure to pass any objective results in failure of the course.

(1) The renewal date for initial requalification shall be established as eighteen months from the completion date of the initial basic firearms training course. That date shall remain constant each year until such time as the individual fails to requalify prior to the expiration date of a current certification period. Such failure to act shall void the renewal date and the basic firearms training course must be repeated.

(2) Requalification shall be valid for a period of twelve months from the date of completion of the firearms requalification course.

(3) Individuals may requalify In one of the following timeframes:

(a) Within ninety days of their expiration date without affecting the renewal date; or

(b) More than ninety days prior to the expiration date which will establish a new renewal date. The new renewal date shall be twelve months from the date of the current requalification course.

(4) Individuals who fail to requalify prior to the expiration date shall repeat a commission-approved minimum twenty-hour basic firearms training course.

R.C. 119.032 review dates: 04/01/2011 and 04/01/2016; Promulgated Under: 119.03
Statutory Authority: R.C. 109.74; Rule Amplifies: R.C. 109.73, R.C. 109.75, R.C. 109.78
Prior Effective Dates: 5/1/1970, 2/27/1987, 10/1/1993, 1/1/2001

109:2-3-11 Private security academic training course certificate of completion.

(A) Upon satisfactory completion of the academic training course, the commander shall recommend the student for certification, on a form prescribed by the executive director.

(B) A student who successfully completes the academic training course but fails the optional firearms course will receive a certificate for the academic training course only.

(C) A student who successfully completes the optional firearms training portion of the private security academic training course but fails the academic training course will not receive a certificate of completion for the firearms training course.

(D) Receipt of the certificate by the student shall be considered as successful completion of the approved training course

R.C. 119.032 review dates: 04/01/2011 and 04/01/2016
Promulgated Under: 119.03
Statutory Authority: R.C. 109.74
Rule Amplifies: R.C. 109.73, R.C. 109.75, R.C. 109.78
Prior Effective Dates: 5/1/1970, 2/27/1987, 10/1/1993, 1/1/2001

109:2-3-12 Description of the private security academic training course.

(A) The course content and curriculum of the private security academic training course shall be established and approved by the commission. It shall be sufficient in content and subject material to provide the student with a basic knowledge of the role, functions, and practices of the private security officer.

(B) The units, topics, hours and student performance objectives for the course shall be approved by the commission, and must be taught in their entirety.

(C) The curriculum shall be comprised of topics that will be contained in the following units:

(1) Administration;

(2) Legal;

(3) Human relations;

(4) Communications;

(5) Loss prevention;

(6) Safety and protective services;

(7) Unarmed self-defense; and

(8) First aid.

(D) Firearms training may also be offered for those students who seek certification in that area. Pursuant to section 2923.21 of the Revised Code, no person under eighteen years of age may participate in any portion of the firearms training.

(E) The units, topics, hours and student performance objectives mandated by the commission are minimum requirements for obtaining certification. Commanders and instructors are encouraged to exceed these minimum requirements.

R.C. 119.032 review dates: 04/01/2011 and 04/01/2016
Promulgated Under: 119.03
Statutory Authority: R.C. 109.74
Rule Amplifies: R.C. 109.73, R.C. 109.75, R.C. 109.78
Prior Effective Dates: 5/1/1970, 2/27/1987, 10/1/1993, 1/1/2001

109:2-3-13 Adjudication hearing procedure.

If a request for certification or renewal of any certification is denied, or if certification or school approval is revoked, the executive director shall notify and advise the affected party that the affected party may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections119.01 to 119.13 of the Revised Code.

R.C. 119.032 review dates: 04/01/2011 and 04/01/2016
Promulgated Under: 119.03
Statutory Authority: R.C. 109.74
Rule Amplifies: R.C. 109.73, R.C. 109.75, R.C. 109.78
Prior Effective Dates: 5/1/1970, 2/27/1987, 10/1/1993, 1/1/2001

APPENDIX B

FIREARMS RANGE POLICY

Effective 1-1-14

OHIO PEACE OFFICER TRAINING COMMISSION

FIREARMS RANGE POLICY STATEMENT

Effective January 12, 1999

Effective 1-1-14

INTRODUCTION:

Purpose:

To provide guidance and guidelines on firearms range facilities and their operation during Commission-approved training programs.

Ohio Administrative Code requires that Commission-approved school facilities have access to a firearms range. Ranges must meet the safety requirements set herein to be considered Commission-approved. During the required site inspection, the OPOTC Compliance Officer will make the initial determination of the suitability of the range. Any appeals of the determination will be directed to the Executive Director and then to the Commission if necessary. The primary goal of this policy is to provide guidance in pursuit of compliance in the interest of consistency and safety.

Safety of the students and training personnel is of primary importance in considering the suitability of a range facility for use during Commission-approved programs. Also of major importance is the safety and health of the community and property within the maximum range of the types of ammunition intended for use on the range. The goal of a range, be it indoor or outdoor, is to provide a facility in which weapons may be discharged during training or other activities while preventing the release of projectiles or other related materials into the community.

INDOOR RANGE FACILITIES:

- Indoor range facilities shall be constructed of materials which can be expected to stop a round which fails to impact the intended "bullet trap" area. Walls, floors and ceilings should all be constructed of a material sufficient to stop a round of the highest power factor and caliber which might be authorized for use on the range.

- Openings such as windows, doors, access panels, etc. shall not be located at any point down range past the firing point farthest back from the bullet trap. Since such openings are not "bullet proof," a round which strikes one of these openings could leave the containment of the range.

- The bullet trap must be capable of stopping the highest power factor or caliber of weapon authorized for use on the range. An escalator-type or other commercially available bullet containment system should be used. The ballistic features of the bullet trap must cover the entire intended or potential impact area at the end of the range. The bullet trap should be located far enough down range to allow for practice and testing of the training SPOs requiring the greatest distance (currently the sight alignment SPO at 50 feet).

- Sufficient width should be allotted for each shooter on the line. There shall be enough room to allow each shooter to move around without interfering with a shooter on either side. A width of 42" to 48" is suggested.

- Target holders should be designed to hold a target so the top of the head of the pattern is about 68" to 70" above the floor. The holders should be made of a material and constructed in a manner which will reduce the potential for ricochet or "bounceback".

- Lighting shall be sufficient in level and coverage to provide for safe operations and easy observation on the range. The light level should be adjustable to allow for low-light shooting SPOs. Flashlights or other emergency lighting should be available in the event of a power failure.

- Ventilation should be sufficient to change the total volume of air on the range in a given period of time. Guidance on ventilation is available from the manufacturers of ventilation systems and some government agencies.

- Safety equipment such as fire extinguishers, sprinkler systems or installed hoses should be available in the event of the combustion of dust, target materials or other fire events. Escape routes for emergency evacuation of the facility should be posted. A first aid kit with supplies appropriate for gunshot wounds shall be on site and readily accessible. Phone numbers for fire and rescue services should be available to instructors and posted so students can see them.

- Materials not being used for training should not be stored on the portion of the range being used for training. Targets, extra target holders, cardboard, ammunition, tables, barricades or other objects should be stored in an area of the facility in a manner which will not interfere with training or cause a hazardous condition.

- Students, instructors and anyone else present on the range during live firing must wear suitable hearing and eye protection. Use of body armor is recommended.

- Restroom facilities must be available for both male and female personnel. Uni-sex restrooms should be marked as such and a means to secure the door during use must be available. Commercially available portable restrooms are acceptable. Barrels, ditches, camp toilets and other primitive facilities are not acceptable.

OUTDOOR RANGE FACILITIES:

- The goal of the outdoor range is the same as the indoor range. It is intended to provide a facility in which weapons may be discharged in a manner safe to the students, instructors and to the community wherein the range is located.

- The backstop of the range is usually constructed of earth mounded up to a given height. Since there is not normally an overhead barrier on an outdoor range such as baffling or other containment materials, the height of the backstop becomes important. The height of the mound shall be sufficient to stop a round fired higher than the top of the target. Generally, the mound should be at least two to three feet higher than the top of the target.

- The backstop should be thick enough at the base to ensure that the top of the mound is still thick enough to stop a round. It shall be made of materials which will absorb the rounds and diminish the possibility of "bounceback" or ricochet. The backstop shall be far enough back from the target holders to ensure that minor "splash" or flying dirt does not pose a threat of injury to shooters. Large rocks or stones should not be up near the surface of the mound. Finer top soil or clay is a better material for the top several inches of the backstop. Groundcover such as grass or other low growing vegetation to reduce erosion is suggested. Shrubs, bushes and small trees are likely to cause ricochets or may cause flying objects upon impact of a projectile and should not be in the area of the mound where the rounds will strike. Backstops such as stone or quarry walls must be of sufficient height and solid enough to ensure their ability to stop and contain rounds. If such a stone or quarry wall is used as a backstop, it should be far enough back from the target holders to diminish the potential for bounceback. This "setback" will need to be greater than if an earthen mound is used as the dirt will more readily absorb the rounds.

- The range must be long enough to allow for practice and testing of the training SPOs requiring the greatest distance (currently the sight alignment SPO at 50 feet).

- Target holders should be designed to hold a target so the top of the head of the pattern is about 68" to 70" above the ground. The holders should be made of a material and constructed in a manner which will reduce the potential for ricochet or "bounceback".

- Sufficient width must be allotted for each shooter on the line. There must be enough room to allow each shooter to move around without interfering with a shooter on either side. A width of 42" to 48" is suggested.

- Outdoor ranges must have sidewalls or side-mounds which should extend back from the backstop about one half the length of the backstop. The sidewalls should be constructed in a manner similar to the backstop and may taper to the ground at the end of their length farthest from the backstop.

- Materials not being used for training should not be stored on the portion of the range being used for training. Targets, extra target holders, cardboard, ammunition, tables, barricades or other objects should be stored in an area of the facility in a manner which will not interfere with training or cause a hazardous condition.

- Students, instructors and anyone else present on the range during live firing must wear suitable hearing and eye protection. Use of body armor is recommended.

- Restroom facilities must be available for both male and female personnel. Uni-sex restrooms should be marked as such and a means to secure the door during use must be available. Commercially available portable restrooms are acceptable. Barrels, ditches, camp toilets and other primitive facilities are not acceptable.

- Safety equipment such as fire extinguishers or installed hoses should be available in the event of a grass fire or the combustion of target materials or other fire events. Escape routes for emergency evacuation of the facility should be posted. A first aid kit with supplies appropriate for gunshot wounds must be on site and readily accessible. Phone numbers for fire and rescue services should be available to instructors and posted so students can see them. For outdoor ranges without a phone readily available, a cell phone should be on site.

- Lighting on the range must be sufficient to allow for safe operation of the range during low-light or night shooting.

INSTRUCTORS:

When conducting the practical (live fire) firearms portion of a Commission-approved program, the commander will follow the instructor guideline listed below:

1) There may be no more than two (2) students present at the range per firing point utilized during the practical firing portion of the training.

2) One (1) OPOTC-approved firearms instructor, certified for the program being conducted, must be present at the firing line for every five students on the firing line.

3) A safety officer must be present to supervise those students not on the firing line. The safety officer need not specifically be a Commission-approved firearms instructor for the program being conducted. However, the person will have sufficient knowledge of firearms to ensure safety. The safety officer shall be one of the following:

    a) A Commission-approved firearms instructor certified for the program being conducted; or

    b) A Commission-approved instructor certified for the program being conducted – Special Subject or Unit, but not necessarily a firearms instructor; or

    c) A law enforcement officer who has completed the basic training course; or

    d) A person who has completed a Commission-approved firearms safety program which will provide sufficient knowledge to make the person familiar with safe range practices.

    NOTE: The use of a person under letters b or d requires that the commander submit documentation of the person's firearms safety credentials at the time of the opening audit for the school.

4) The safety officer will ensure that no firearms shall be unholstered at any time behind the line of fire during the practical (live fire) portion of the program.

5) Only verbal instruction may occur behind the firing line and may only be conducted by a current firearms instructor approved by the Commission for the program being conducted.

REFERENCES:

Ohio Administrative Code, effective June 30, 1998

Ohio Peace Officer Training Commission Basic Training School Commander's Manual, effective April, 1997

Ohio Peace Officer Training Commission Private Security School Commander's Manual, effective April, 1997

U.S. and Ohio Environment Protection Agency publications concerning lead emissions and pollution

Occupational Safety and Health Administration (OSHA) regulations SFR1910.133 – Eye and face protection and CFR 1910.1025 – lead exposure – Use the prevailing effective dates of the CFR.

National Rifle Association (NRA) manual on range construction and operation – 1988

APPENDIX C

DISQUALIFYING CRIMES

ORC 2923.13 Having weapons while under disability.

(A) Unless relieved from disability as provided in section 2923.14 of the Revised Code, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if any of the following apply:

(1) The person is a fugitive from justice.

(2) The person is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(3) The person is under indictment for or has been convicted of any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.

(4) The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.

(5) The person is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a mentally ill person subject to hospitalization by court order, or is an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

(B) Whoever violates this section is guilty of having weapons while under disability, a felony of the third degree.

Amended by 129th General Assembly File No.30,HB 54, §1, eff. 9/30/11. Effective Date: 04-08-04.

ORC 2923.14 Relief from weapons disability.

(A) Any person who is prohibited from acquiring, having, carrying, or using firearms may apply to the court of common pleas in the county in which the person resides for relief from such prohibition.

(B) The application shall recite the following:

(1) All indictments, convictions, or adjudications upon which the applicant's disability is based, the sentence imposed and served, and any release granted under a community control sanction, post-release control sanction, or parole, any partial or conditional pardon granted, or other disposition of each case, or, if the disability is based upon a factor other than an indictment, a conviction, or an adjudication, the factor upon which the disability is based and all details related to that factor;

(2) Facts showing the applicant to be a fit subject for relief under this section.

(C) A copy of the application shall be served on the county prosecutor. The county prosecutor shall cause the matter to be investigated and shall raise before the court any objections to granting relief that the investigation reveals.

(D) Upon hearing, the court may grant the applicant relief pursuant to this section, if all of the following apply:

(1) One of the following applies:

(a) If the disability is based upon an indictment, a conviction, or an adjudication, the applicant has been fully discharged from imprisonment, community control, post-release control, and parole, or, if the applicant is under indictment, has been released on bail or recognizance.

(b) If the disability is based upon a factor other than an indictment, a conviction, or an adjudication, that factor no longer is applicable to the applicant.

(2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so.

(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms.

(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant.

(F) Relief from disability granted pursuant to this section restores the applicant to all civil firearm rights to the full extent enjoyed by any citizen, and is subject to the following conditions:

(1) Applies only with respect to indictments, convictions, or adjudications, or to the other factor, recited in the application as the basis for the applicant's disability;

(2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant;

(3) May be revoked by the court at any time for good cause shown and upon notice to the applicant;

(4) Is automatically void upon commission by the applicant of any offense set forth in division (A)(2) or (3) of section 2923.13 of the Revised Code, or upon the applicant's becoming one of the class of persons named in division (A)(1), (4), or (5) of that section.

(G) As used in this section:

(1) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(2) "Post-release control" and "post-release control sanction" have the same meanings as in section 2967.01 of the Revised Code.

Amended by 129th General Assembly File No.30,HB 54, §1, eff. 9/30/2011. Effective Date: 01-01-2004

Related Legislative Provision: *See 129th General Assembly File No.30,HB 54, §3.*

ORC 2953.36 Sealing of record of conviction exceptions. Sections 2953.31 to 2953.35 of the Revised Code do not apply to any of the following:

(A) Convictions when the offender is subject to a mandatory prison term;

(B) Convictions under section 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.321, 2907.322, or 2907.323, former section 2907.12, or Chapter 4507., 4510., 4511., or 4549. of the Revised Code, or a conviction for a violation of a municipal ordinance that is substantially similar to any section contained in any of those chapters;

(C) Convictions of an offense of violence when the offense is a misdemeanor of the first degree or a felony and when the offense is not a violation of section 2917.03 of the Revised Code and is not a violation of section 2903.13, 2917.01, or 2917.31 of the Revised Code that is a misdemeanor of the first degree;

(D) Convictions on or after October 10, 2007, under section 2907.07 of the Revised Code or a conviction on or after October 10, 2007, for a violation of a municipal ordinance that is substantially similar to that section;

(E) Convictions or or after October 10, 2007 under section 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.31, 2907.311, 2907.32, or 2907.33 of the Revised Code when the victim of the offense was under eighteen years of age;

(F) Convictions of an offense in circumstances in which the victim of the offense was under eighteen years of age when the offense is a misdemeanor of the first degree or a felony, except for convictions under section 2919.21 of the Revised Code;

(G) Convictions of a felony of the first or second degree;

(H) Bail forfeitures in a traffic case as defined in Traffic Rule 2.

Amended by 129th General Assembly File No.131,SB 337, §1, eff. 9/28/2012.

Effective Date: 01-01-2004; 2007 SB18 10-10-2007

ORC 2925.11 Possession of controlled substances.

(A) . . .

(D) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

ORC 2923.21 Improperly furnishing firearms to minor.

(A) No person shall do any of the following:

(1) . . .

(3) Furnish any firearm to a person who is under eighteen years of age or, subject to division (B) of this section, furnish any handgun to a person who is under twenty-one years of age, except for lawful hunting, sporting, or educational purposes, including, but not limited to, instruction in firearms or handgun safety, care, handling, or marksmanship under the supervision or control of a responsible adult;

(4) Sell or furnish a firearm to a person who is eighteen years of age or older if the seller or furnisher knows, or has reason to know, that the person is purchasing or receiving the firearm for the purpose of selling the firearm in violation of division (A)(1) of this section to a person who is under eighteen years of age or for the purpose of furnishing the firearm in violation of division (A)(3) of this section to a person who is under eighteen years of age;

(5) Sell or furnish a handgun to a person who is twenty-one years of age or older if the seller or furnisher knows, or has reason to know, that the person is purchasing or receiving the handgun for the purpose of selling the handgun in violation of division (A)(2) of this section to a person who is under twenty-one years of age or for the purpose of furnishing the handgun in violation of division (A)(3) of this section to a person who is under twenty-one years of age;

. . .

(B) Divisions (A)(1) and (2) of this section do not apply to the sale or furnishing of a handgun to a person eighteen years of age or older and under twenty-one years of age if the person eighteen years of age or older and under twenty-one years of age is a law enforcement officer who is properly appointed or employed as a law enforcement officer and has received firearms training approved by the Ohio peace officer training council or equivalent firearms training.

(C) Whoever violates this section is guilty of improperly furnishing firearms to a minor, a felony of the fifth degree.

Effective Date: 03-31-1997

18 U.S. Criminal Code Section 921

(a) As used in this chapter—
(1) . . .

(33) (A) Except as provided in subparagraph (C), the term "misdemeanor crime of domestic violence" means an offense that—
(i) is a misdemeanor under Federal, State, or Tribal [3] law; and
(ii) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

(B) (i) A person shall not be considered to have been convicted of such an offense for purposes of this chapter, unless—
(I) the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and
(II) in the case of a prosecution for an offense described in this paragraph for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either
(aa) the case was tried by a jury, or
(bb) the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise.

(ii) A person shall not be considered to have been convicted of such an offense for purposes of this chapter if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights restored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offense) unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

18 U.S. Criminal Code Section 922

(a) . . .
(d) It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person—
(1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;
(2) is a fugitive from justice;
(3) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));
(4) has been adjudicated as a mental defective or has been committed to any mental institution;
(5) who, being an alien—

(A) is illegally or unlawfully in the United States; or

(B) except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(26)));

(6) who has been discharged from the Armed Forces under dishonorable conditions;

(7) who, having been a citizen of the United States, has renounced his citizenship;

(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

(B)

(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(9) has been convicted in any court of a misdemeanor crime of domestic violence.. . .

18 U.S. Criminal Code Section 925

(a)

(1) The provisions of this chapter, except for sections 922 (d)(9) and 922 (g)(9) and provisions relating to firearms subject to the prohibitions of section 922 (p), shall not apply with respect to the transportation, shipment, receipt, possession, or importation of any firearm or ammunition imported for, sold or shipped to, or issued for the use of, the United States or any department or agency thereof or any State or any department, agency, or political subdivision thereof. . .

“ATF MEMO” Received via fax by OPOTC 12/11/96 - Retyped 4/16/99

[seal]

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

OPEN LETTER TO ALL STATE AND LOCAL
LAW ENFORCEMENT OFFICIALS

The purpose of this letter is to provide information to all State and local law enforcement agencies regarding one specific aspect of the recently enacted Omnibus Consolidated Appropriations Act of 1997 (the Act). One part of the Act amended the Gun Control Act of 1968 (GCA) to make it unlawful for any person convicted of a “misdemeanor crime of domestic violence” to ship, transport, possess, or receive firearms or ammunition. It also makes it unlawful for any person to sell or otherwise dispose of a firearm or ammunition to any person knowing or having reasonable cause to believe that the recipient has been convicted of such a misdemeanor. This new prohibition does apply to all law enforcement officers.

Act adds new firearms disability

As defined in the GCA, a “misdemeanor crime of domestic violence” means an offense that:

(1) is a misdemeanor under Federal or State law; and

(2) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

This definition includes all misdemeanors that involve the use or attempted use of physical force (e.g., simple assault, assault and battery) if the offense is committed by one of the defined parties. This is true whether or not the State statute or local ordinance specifically defines the offense as a domestic violence misdemeanor. For example, a person convicted of misdemeanor assault against his or her spouse would be prohibited from receiving or possessing firearms or ammunition. Moreover, the prohibition applies to persons convicted of such misdemeanors at any time, even if the conviction occurred prior to the new law’s effective date, September 30, 1996. As of the effective date of the new law, such a person may no longer possess a firearm or ammunition. However, with respect to all persons, a conviction would not be disabling if it has been expunged, set aside, pardoned, or the person has had his or her civil rights restored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offense) AND the person is not otherwise prohibited from possessing firearms or ammunition.

New disability applies to law enforcement officers

In addition, the Act amended the GCA so that employees of government agencies convicted of qualifying misdemeanors would not be exempt from this new disability with respect to their receipt or possession of firearms or ammunition. Thus, law enforcement officers and other government officials who have been convicted of a qualifying misdemeanor will not be able to lawfully possess or receive firearms or ammunition for any purpose, including performing their official duties. This disability applies to firearms and ammunition issued by government agencies, firearms and ammunition purchased by officials for use in performing their official duties, and personal firearms and ammunition possessed by such officials.

In view of this amendment's effect on law enforcement officers, your department may want to determine if any employee who is authorized to carry a firearm is subject to this disability and what appropriate action should be taken. Employees subject to this disability must immediately dispose of all firearms and ammunition in their possession. The continued possession of firearms and ammunition by persons under this disability is a violation of law and may subject the possessor to criminal penalties. In addition, such firearms and ammunition are subject to seizure and forfeiture.

In cases where your agency becomes aware of individuals subject to this disability, we recommend that such persons be encouraged to relinquish all firearms and ammunition in their possession immediately to a third party, such as their attorney, their local police agency, or a firearms dealer.

If such person refuses to relinquish the firearm or ammunition, and your agency is without authority to retain or seize the firearm or ammunition, you should contact the local ATF office.

Brady Act

In the so-called "Brady States" Chief Law Enforcement Officers (CLEOs) "shall make a reasonable effort" to determine whether a prospective buyer's receipt of a handgun would be in violation of the law. CLEOs have five business days in which to make that reasonable effort. What constitutes a "reasonable effort" is to be determined by each law enforcement agency based on its own circumstances, e.g., the availability of resources, access to records, and the law enforcement priorities of the jurisdiction.

This "reasonable effort" standard is not altered by the addition of this new disqualifying category. It remains fully within the discretion of the CLEO to determine what effort is reasonable. For example, even if the CLEO determines that a misdemeanor assault conviction has occurred, it remains fully within the CLEO's discretion to determine whether to make further inquiry.

ATF forms are being revised to reflect the new category of prohibited persons.

If you have any questions concerning these new provisions, contact your local ATF office or the Firearms and Explosives Regulatory Division at 202-927-8300.

[sig]
John W. Magaw
Director

QUESTIONS AND ANSWERS REGARDING
MISDEMEANOR CRIME OF DOMESTIC VIOLENCE

Q. X was convicted of misdemeanor assault on October 10, 1996. The crime of assault does not make specific mention of domestic violence but the criminal complaint reflects that he assaulted his wife. May X still possess firearms or ammunition?

A. No. X may no longer possess firearms or ammunition.

Q. X was convicted of the same crime on September 20, 1996, 10 days before the effective date of the new statute. He possesses a firearm on October 10, 1996. May X lawfully possess firearms?

A. No. If a person was convicted of the crime at any time, he or she may not lawfully possess firearms or ammunition on or after September 30, 1996.

Q. Officer C was charged with felony assault on her child in 1989. She pled guilty to a misdemeanor and the felony charge was dismissed. She was suspended from the police force and ordered to undergo counseling. After successful completion of the counseling, she was reinstated. May Officer C lawfully possess firearms or ammunition?

A. No. Officer C may no longer lawfully possess firearms or ammunition either on or off duty.

Note: For one who has been convicted of a misdemeanor crime of domestic violence, the prohibition on the possession of firearms and ammunition does not apply if the individual has received a pardon for the crime, the conviction has been expunged or set-aside, or the person has had civil rights restored (if there was a loss of civil rights) AND the person is not otherwise prohibited from possessing firearms or ammunition.

APPENDIX D

PRIVATE SECURITY FEE SCHEDULE

PRIVATE SECURITY CURRENT FEE SCHEDULE

(Effective 1/1/01)

Academic Training Course:

Application Fee $125.00

Certification Fee (for each certificate requested) 15.00

Firearms Basic Training Course:

Application Fee $100.00

Certification Fee (for each certificate requested) 10.00

Firearms Requalification Course:

Application Fee $50.00

Certification Fee (for each certificate requested) 5.00

Replacement Certificates Requested By Commander:

Academic Training Course .....$15.00 ea.

Firearms Basic Training Course .....10.00 ea.

Firearms Requalification Course .....5.00 ea.

Duplicate Certificates Requested By Student:

Academic Training Course .....$15.00 ea.

Firearms Basic Training Course .....5.00 ea.

Firearms Requalification Course .....5.00 ea.