



# DAVE YOST

OHIO ATTORNEY GENERAL

## Commander Manual for Private Security Training

### Ohio Peace Officer Training Commission





**DAVE YOST**  
OHIO ATTORNEY GENERAL



Ohio Peace Officer Training Commission  
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Dear Commander,

On behalf of the Ohio Peace Officer Training Commission (OPOTC), I am pleased to provide you with the *Commander Manual for Private Security Training*. This manual is published to assist you with conducting OPOTC-approved Private Security Training programs. You can find the current version of the manual and basic training school forms on our website, [www.OhioAttorneyGeneral.gov/OPOTA](http://www.OhioAttorneyGeneral.gov/OPOTA).

Revised lesson plans are released once a year for programs beginning on or after July 1<sup>st</sup>. The current Private Security Training curriculum is available on the Ohio Law Enforcement Gateway (OHLEG) website, [www.ohleg.org](http://www.ohleg.org).

In order to provide you with up-to-date information, OPOTC offers numerous resources on our website. OPOTC staff will continue to send you e-mails about training opportunities and other pertinent information that may affect the status of your 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](http://www.OhioAttorneyGeneral.gov/OPOTAUpdate).

We welcome your comments on these efforts and thank you for your service to the public safety community of Ohio.

Sincerely,

Dwight A. Holcomb, CPP  
Executive Director

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## DIRECTORY

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### Compliance Officers

Please contact the Compliance Officer for on-going issues directly related to your particular school. You can use the Regional Map to determine the assigned Compliance Officer.

<b><u>North Central Region</u></b>	Anne Laux	<a href="mailto:Anne.Laux@OhioAttorneyGeneral.gov">Anne.Laux@OhioAttorneyGeneral.gov</a>
<b><u>Northeast Region</u></b>	Toni DiSalvo	<a href="mailto:Toni.DiSalvo@OhioAttorneyGeneral.gov">Toni.DiSalvo@OhioAttorneyGeneral.gov</a>
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### Certification Officers

Please contact Certification Officers for specific questions about the status of school openings and closings, and Commander and Instructor qualifications. You can use the Regional Map to determine the assigned Certification Officer.

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<b><u>North Central Region</u></b>	Jill Cury	<a href="mailto:BrendaJill.Cury@OhioAttorneyGeneral.gov">BrendaJill.Cury@OhioAttorneyGeneral.gov</a>

## **Administrative Professionals**

Please contact the Administrative Professionals listed about forms and certificates. You can use the Regional Map to determine the assigned Administrative Professional.

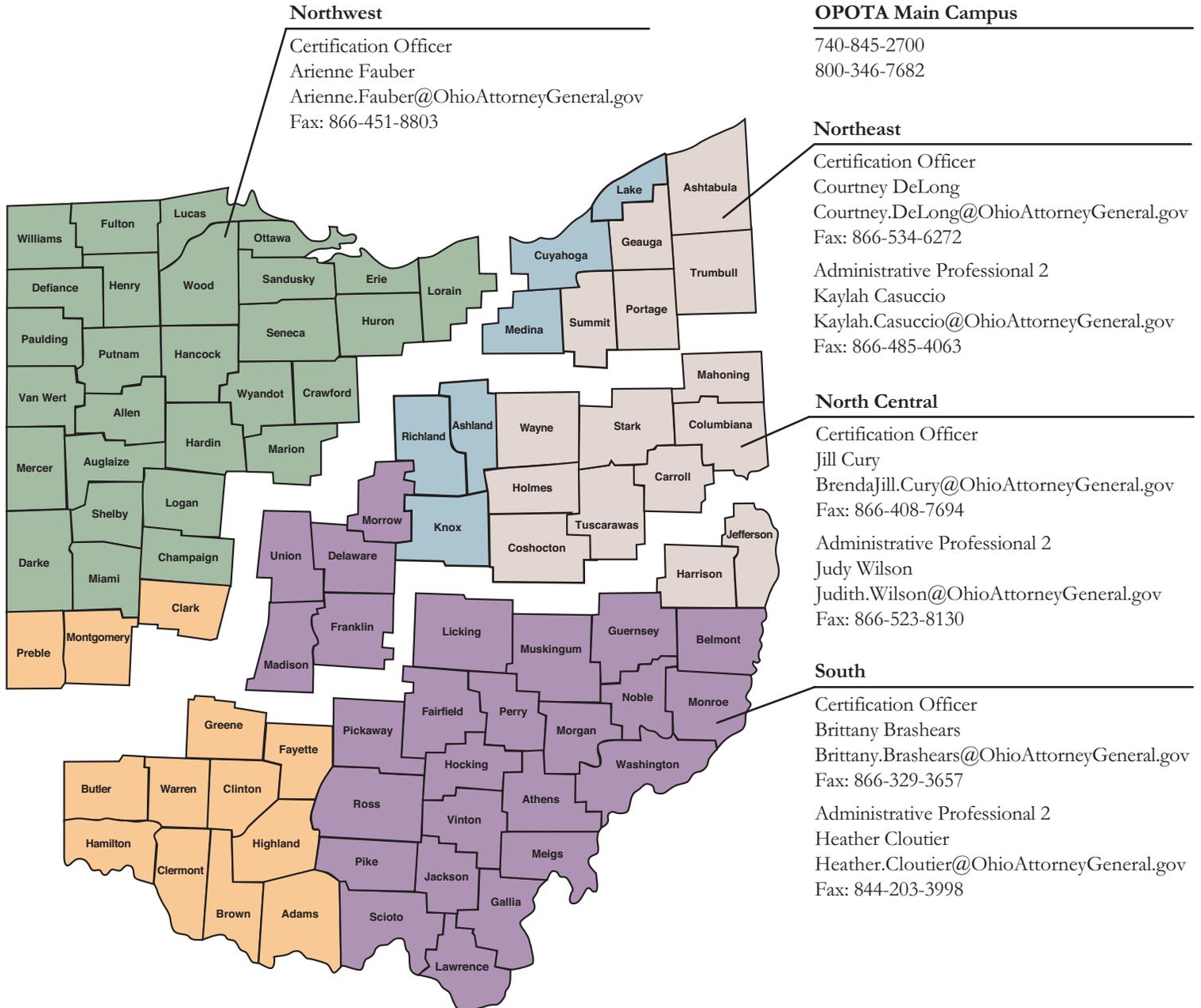
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# OPOTC Professional Standards REGIONAL REPRESENTATIVES



**DAVE YOST**  
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October 2019



## Compliance Officers

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## **Private Security Academic Training FAQ**

### **Who can run a private security training academy?**

Any individual or private business that meets the requirements of the Ohio Administrative Code and is approved by the Executive Director can conduct Private Security Training.

### **Who may attend a private security academic training academy?**

Anyone interested in becoming a private security officer may attend the private security academic training academy. These students are issued an Ohio private security academic training certificate once they pass the State Certification Exam.

### **What is a curriculum code and where do I find it?**

The curriculum code indicates which curriculum an academy must use. It is based on the start date of the academy and relates to both lesson plans and the State Certification Exam. It can be found on the opening letter.

### **What audits and oversight can I expect during a private security academic training academy?**

Compliance Officers will conduct an opening audit to review the application and supporting documentation needed to run a Private Security Academic academy at least 21 days prior to the start of it. They will also conduct an enrollment audit, on the third day of the academy, as well as a closing audit at the end of the academy. The closing audit ensures all students have met Commission requirements and are eligible to sit for the State Certification Exam.

Compliance Officers will also make regular visits to the academy to observe instruction and review paperwork.

### **What are SPOs?**

Student performance objectives (SPOs) are concepts and physical skills within the curriculum upon which students are tested, during the academy and/or during the State Certification Exam.

## Section 1

### Pre-Opening Organization

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

#### 1.1 Commanders

- 1.1.1 A person desiring to become a Commander for any OPOTC-approved training must submit an application to OPOTC for approval. The Commander's application must be filed and approved by OPOTC before any other action can be taken.
- 1.1.2 A person applying to become a Commander must be associated with an existing or proposed school. A letter from the CEO of the school attesting to the institution's desire for the person to become a Commander must accompany the application.
- 1.1.3 The minimum qualifications for a Private Security Academic Commander are established by Ohio Administrative Code [109:2-3-04\(B\)](#)
- 1.1.4 The minimum qualifications for a joint vocational school Private Security Academic Commander are established by Ohio Administrative Code [109:2-3-04\(C\)](#)
- 1.1.5 After the application is provisionally approved, the applicant must register for the OPOTC Commander Course. Within 30 days of successful completion of the OPOTC Commander Course, the applicant must meet with their Compliance Officer and, if needed, complete an on-site inspection. Once completed, the Commander Certificate will be issued. This certification process must be completed before any other action may be taken.
- 1.1.6 Only OPOTC-certified Commanders may conduct OPOTC-approved training programs. A Commanders' OPOTC certificate must be current and shall not expire prior to or during the dates a Private Security Academic Training School is scheduled. For information regarding commander certification renewal, please refer to [OAC 109:2-3-04\(F\)](#).
- 1.1.7 Commanders approved for a particular school may not permit any other person to function as the Commander. If the Commander of record will be absent for an extended period of time (e.g., vacation, illness, etc.), during the school, an OPOTC-certified Private Security Academic Training Commander must be designated in writing and such notice must be submitted to the Compliance Officer and Certification Officer prior to the occurrence.
- 1.1.8 Commanders may not enroll in any part of a Private Security Training program for which they are the Commander.
- 1.1.9 If a Commander intends to conduct two different schools during the same timeframe at different locations, the Commander must obtain written approval from the Executive Director prior to conducting the schools.

**1.1.10** If at any time the Commander learns of criminal charges, disciplinary actions, or official complaints regarding any Instructor, Commander or Student whether made in reference to their position as an Instructor, Commander or Student or otherwise, the Commander must inform the Compliance Officer.

## **1.2 Teaching Facilities**

**1.2.1** The Ohio Administrative Code requires that, at a minimum, all Private Security Academic Training Academies shall have the following facilities and equipment:

- a. A classroom with adequate heating, lighting, ventilation, and restroom facilities;
- b. A chalkboard and chalk, or equivalent;
- c. Tables and chairs suitable for writing or seats with an arm for writing;
- d. Audio-visual equipment;
- e. A lectern, stand, or table for the Instructor's use;
- f. A gymnasium or large indoor area for teaching defensive tactics and other physical skills topics supplied with appropriate training and safety equipment;
- g. Access to an OPOTC-approved firearms range (if optional firearms training offered);
- h. Any other equipment, facilities, program, or software as required by the OPOTC Executive Director. [OAC 109:2-3-03\(A\)](#)

**1.2.2** All classrooms must meet applicable building and fire codes.

**1.2.3** If an on-site inspection is needed, the Commander shall arrange for such inspections on or before the opening audit. The OPOTC Compliance Officer assigned to a training academy must conduct an on-site inspection and approve the teaching facilities at the following times:

- a. When a new facility is proposed;
- b. When a previously inspected training site is changed;
- c. At any time upon request by OPOTC staff;
- d. Every three (3) years.

## **1.3 Instructors**

**1.3.1** Only OPOTC-certified Instructors may teach OPOTC topics during OPOTC-approved training programs. The Commander is responsible for ensuring that each Instructor is properly certified on the date and time scheduled to teach in a Private Security Training program.

Only OPOTC-certified Private Security Firearms Unit Instructors may teach in a Private Security Academic Training Academy officer optional firearms training.

**1.3.2** Prior to the opening audit, the Commander must communicate with each Instructor scheduled to verify their availability for the scheduled topics, dates, and times.

**1.3.3** An Instructor may not enroll as a student in a Private Security Training program for which they are scheduled as an Instructor.

### **Unit Instructors**

- 1.3.4** To become an OPOTC-certified Private Security Unit Instructor, a person must apply to the OPOTC for certification. Instructor applications must be signed by an OPOTC-certified Private Security Commander, PSC.

If seeking approval for firearms topics, the PSC School Commander must be approved to conduct the optional firearms training.

- 1.3.5** The minimum qualifications for a Unit Instructor in a Private Security Training Academy are established by OAC [109:2-3-05\(B\)](#)

### **Topic Instructors**

- 1.3.6** To become an OPOTC-certified Topic Instructor, a person must apply to the OPOTC for certification. Instructor applications must be signed by a current OPOTC-certified Private Security Training Commander.

- 1.3.7** Topic Instructors are certified 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 firearms units. The minimum qualifications for a Topic Instructor in a Private Security Training Academy are established by OAC [109:2-3-05\(C\)](#).

- 1.3.8** 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 who teach a topic that requires a non-OPOTC certification, such as First Aid/CPR/AED, must also be currently certified as an Instructor through the credentialing agency 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 take the State Certification Exam until these discrepancies have been corrected.

- 1.3.9** Private Security Academic Training Courses must be taught with a minimum six OPOTC-approved Instructors. Some topics require a minimum instructor-to-student ratio. The Commander is responsible for ensuring that the minimum number of Instructors is met when preparing the school calendar and when the topics are actually taught. Commanders must verify Instructor credentials, certified topics, certification numbers and expiration dates.

- 1.3.10** Prior to the opening audit, the Commander must communicate with each Instructor scheduled, to verify their availability for the scheduled topics, dates, and times.

- 1.3.11** For each OPOTC Instructor approved for courses which require an additional certificate, such as First Aid/CPR/AED, etc., Commanders must maintain a copy of the current Instructor certification from the credentialing agency, and consult with the Instructors to verify that their accrediting agency has not required any updates. If any updates have been required, the Commander will inform the Compliance Officer, will present documentation that these updates have occurred, and will add that documentation to the

certificate file. This file will serve as a guide for Commanders during schedule preparation and for substitution purposes. The file must be available for inspection at any time upon request by OPOTC staff.

- 1.3.12 The Commander is responsible for ensuring that Instructors use the most current version of the curriculum.
- 1.3.13 Commanders must maintain a copy of the current OPOTC Instructor certificate for each Instructor who teaches at their academy. This file must be available for inspection at any time upon request by OPOTC Staff.
- 1.3.14 If a guest speaker is invited to teach certain topic areas, an OPOTC-certified Instructor, in the specific topic, must be present in the classroom at all times. All SPOs must be taught by OPOTC-certified Instructors.
- 1.3.15 For information regarding Instructor Certification renewal, please refer to [OAC 109:2-3-05\(D\)](#)

#### 1.4 Students

The 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 OPOTC 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 Commander that the potential weapons disability issue has been favorably resolved. (See ORC 2923.13, Appendix A, 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.
- 1.4.4 Students may not instruct in any part of the Private Security Training School which they are enrolled.

## **Section 2**

### **Opening Audit**

This section will explain the second phase of the Private Security Academic Training Academy process consisting of an opening audit conducted by the Compliance Officer at least 21 days prior to the first day OPOTC topics are taught. Included in each section are related policies, requirements, procedures and explanations for proper completion and sequence of the required OPOTC forms for Private Security Academic or Firearms Basic training. All OPOTC forms are available on the Ohio Attorney General website, [www.OhioAttorneyGeneral.gov/OPOTA](http://www.OhioAttorneyGeneral.gov/OPOTA) .

#### **Submission of the Application**

At the opening audit, the Commander will provide the Compliance Officer with all of the required paperwork. During the opening audit, the Compliance Officer 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 typed and completed in its entirety. Incomplete applications will be returned to the Commander for completion. Each School Application must contain the following:

- a. Type of school (Academic, Basic Firearms or Firearm Requalification, the appropriate weapon type must be circled);
- b. Number of firing points on firearms range;
- c. The school name (no abbreviations, use same name throughout the form);
- d. County name in which the course or school is located;
- e. The Commander's name, 4-digit basic training Commander certificate number, and certificate expiration date (e.g., John A. Doe, PSC 0999, 01/01/2023);
- f. The proposed dates of the school, total hours, and number of students;
- g. The days of the week and times classes are to be held;
- h. The facility address;
- i. The firearms range address;
- j. Mailing address;
- k. Telephone numbers for the Commander and the facility, including fax, and/or cell phones;
- l. Email address for the Commander and academy;
- m. For each Instructor scheduled to teach a course requiring certification from an outside agency, such as First Aid/CPR/AED, etc., the Commander must submit current Instructor certification from the credentialing agency with the school application and verification that they have taken any updates that their specific credentialing agency may require.

**2.1.2** The Commander must sign the application. Original or electronic signatures are acceptable.

## **2.2 School Calendar (Form SF105unv)**

**2.2.1** The Commander must complete the school calendar using the provided form, SF105unv. The calendar shall contain the topic headings as they appear on the Private Security Firearms Training Curriculum. Only OPOTC topics are to be listed on the calendar.

**2.2.2** The training blocks on the school calendar must include:

- a. Date of instruction (e.g., 03/15/18);
- 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 p.m. to 10:00 p.m. or 1800 to 2200);
- e. OPOTC topic number (e.g., Topic 9);
- f. OPOTC topic title (e.g., Firearms);
- g. For skill or ratio areas, indicate if training is practical hours;
- h. The Instructor's last name, first name, middle initial and OPOTC 5-digit PST Instructor certificate number and expiration date. (e.g., Doe, John A., PST 29999, 01/01/2022); do not use rank or title; and
- i. If the school utilizes more than one classroom or range, indicate the building name and classroom number.
- j. A minimum of six OPOTC-certified instructors must be scheduled and instruct for an academic academy.

**2.2.3** The OPOTC requires a minimum number of certain mandatory training hours. Commanders are encouraged to exceed this minimum amount. Any additional hours a Commander adds to a mandatory topic will also be considered OPOTC mandatory hours as well. Private Security Academic students may not miss more than 10% of non-mandatory hours.

**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 should be scheduled approximately in the middle of the training day. If training exceeds ten hours in a given day, an additional 30-minute break period must be scheduled so that no one block of training time exceeds five consecutive hours without a 30-minute break.

**2.2.5** Classes from separate schools 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 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).

**2.2.6 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 Commander who knowingly allows a student with a weapons disability to participate in firearms training also may be criminally liable.**

**Note:** 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 OAC 4501:7-1-04(C)(1). Students are not required to complete a background check prior to participating in a Private Security Firearms training program for OPOTC.

**2.3 Skill Topic Ratios**

OPOTC requires the following instructor-to-student ratios during the practical portion training:

- a. Unit 7, Subject Control
  - One OPOTC-certified Subject Control Instructor for every ten students during each practical session
- b. Unit 8, First Aid/CPR/AED
  - One OPOTC-certified First Aid/CPR/AED Instructor for every nine students, and the resuscitating manikin-to-student ratio shall be as required or suggested by the American Red Cross, American Heart Association, or American Safety & Health Institute. Commanders are to insure that all equipment requirements are met per program being used.
  - **For each Instructor scheduled to teach Unit 8, such as First Aid/CPR/AED, the Commanders must submit current Instructor certification from the credentialing agency with the school application and verification that they have taken any updates that their specific credentialing agency may require.**
- c. Unit 9, Firearms, if applicable
  - One certified Private Security Firearms Instructor (PST) for every five students at the firing line.
  - An OPOTC-certified firearms Instructor must be present to maintain order and safety for all other students not on the firing line.
  - An in-service firearms requalification Instructor can be considered a “Firearms Instructor” for the purpose of these ratios, to maintain order and safety for the students not on the line, but cannot instruct. Only a Private Security Firearms Instructor can do so.
  - No more than two students per firing point may be present at the range during the practical live fire 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 of

40 students would be split into two squads of 20 students, with each 20 student squad receiving a total of 40 hours of training.

- All ranges used for OPOTC purposes must have a working AED (Automated External Defibrillator) and a trauma kit including bandages, CPR mask, emergency tourniquets, quick clot, and other material suitable to provide emergency treatment for gunshot wounds, on site.
- Notwithstanding the provisions of ORC 1533.83(B), all firearms ranges used for OPOTC schools, including those owned or operated by a municipal corporation, county, township police district, or joint police district, must meet the substantive requirements for shooting ranges set forth in OAC 1501:31-29-03.

**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 Compliance Officer meets with the Commander and approves the documents, the documents will be forwarded to the Certification Officer, who also will review the application and school calendar. If approved, the Certification Officer will send an opening letter listing the school number, curriculum code and School Commander. No school may begin classes until an OPOTC school number has been issued. OPOTC will not recognize any training class, or portion thereof, conducted prior to the issuance of the opening letter and school number.
- 2.4.2** If a Commander does not receive written approval at least five days prior to the first scheduled day of training, the Commander should contact the assigned Certification Officer to inquire as to the status of the application.
- 2.4.3** If the start date for the school changes for any reason, the assigned school number shall immediately become void and the Commander must re-apply for a new school number at least 21 days prior to the new start date.

## **Section 3**

### **Enrollment Packet**

#### **Paperwork to be Submitted**

In preparing the Enrollment Packet, the Commander shall submit for review, the paperwork in the order of the students' last names as they appear on the SF110unv. Commanders shall submit one of the following packets for each student, with the forms arranged in the order listed.

#### **3.1 Private Security Academic Students:**

- a. SF110unv: Student Enrollment List
- b. SF115unv: Student Enrollment/Certification Record
- c. SF101unv: Student Disclosures and Statement of Understanding
- d. SF104unv: FERPA Consent to Release Student Information, if applicable.

#### **3.2 Forms**

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

##### **3.2.1 Student Enrollment List (Form SF110unv)**

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

- a. School Name (no abbreviations, use the same name throughout the form)
- b. School Number (PSA18-102), the school number will be assigned by the Certification Officer in opening letter.
- c. Dates of the school
- d. List of students in alphabetical order (last name, first name, middle name)
- e. List student's Social Security Number (Last five, e.g., 5-6789)
- f. List student's date of birth (01/01/1990)
- g. Commander's Signature, typed name, and date (Original or electronic signatures are acceptable)

**3.2.2** In preparing the Enrollment Packet, the Commander shall submit for review, the paperwork in the order of the students' last names as they appear on the SF110unv. Commanders shall submit one of the following packets for each student, with the forms arranged in the order listed.

##### **3.2.3 Student Enrollment/Certification Record (Form SF115unv)**

Must be typed or printed legibly in blue or black ink. Each line of the form must be completed.

- a. Student's name (last name, first name, middle name);

- b. Social Security Number (Last five, e.g., 5-6789);
- c. Home address;
- d. Date of birth (e.g., 01/01/1996);
- e. Telephone number;
- f. Sex;
- g. Email;
- h. Race;
- i. Education (e.g., High School Diploma or GED);
  - Student Course status:
    - 1 Academic
    - 2 Mark the weapon(s) to be certified, if applicable
- j. Signature of Commander;
- k. School name (no abbreviations, use the same name throughout the form);
- l. School number;
- m. Date.

### 3.2.4 Student Disclosures and Statement of Understanding (Form SF101unv)

**Note:** Required if Firearms training is part of the Academic course. Must be printed legibly in blue or black ink.

- a. Student's name (last name, first name, middle name);
- b. Social Security Number (Last five, e.g., 5-6789);
- c. Date of Birth (e.g., 01/01/1996);
- d. School name (no abbreviations, use the same name throughout the form);
- e. School number;
- f. Students must truthfully answer each of the questions:
  - If the student answers "YES" to any question 1 through 18, the Commander must verify with the student the accuracy of the response and explain the potential ramifications to the student. In addition, the student must submit a written statement fully explaining the circumstances for each "YES" answer to questions 1 through 18. **A "YES" answer to any of questions 1 through 18 will prohibit the student from participating in the practical portion of firearms training or any classroom training that involves the student handling a firearm prior to attending the academy;**
- g. Student's signature;
- h. Witness' signature;

- i. The Commander shall review the form with each student and explain that the student may be subject to criminal charges if the student knowingly provides false information.

Commanders could be held liable for allowing any student with a weapons disability to participate in any portion of firearms training. (Refer to Appendix A) unless and until the OPOTC Executive Director notifies both the student and the Commander that the potential weapons disability issue has been favorably resolved.

### **3.2.5 Federal Educational Rights and Privacy Act (FERPA) Consent to Release Student Information (Form SF104unv)**

Students who are enrolled in a college, university, high school, or career center academy must complete this form by typing or by printing legibly in black or blue ink.

## **Section 4**

### **Training Requirements**

The Compliance Officer will arrange a time with the Commander to speak to the students and explain OPOTC requirements necessary for eligibility to take the State Certification Examination. The Commander is responsible for explaining any local school policies or requirements.

**Note: Any non-participation of OPOTC topics will be deemed as an absence.**

#### **4.1 Skills Areas Private Security Academic Only**

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. Topic 10-2 Incident Command System;
- e. Topic 10-3 National Incident Management System.

#### **4.2 Student Notebooks Private Security Academic Only**

As required by OAC 109:2-3-08, all students will keep a notebook, which shall be submitted to the 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 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;
- f. Accuracy; and,
- g. Legibility.

#### **4.3 Psychomotor Skills Assessments**

##### **4.3.1 Unit 7, Subject Control Techniques**

The psychomotor skills assessment for Subject Control Techniques shall be recorded on the SF127ps, Subject Control Proficiency Testing Record.

##### **4.3.2 Unit 8, First Aid/CPR/AED**

The psychomotor skills assessment for First Aid/CPR/AED shall be as required or suggested by the American Red Cross, the American Heart Association, or the American

Safety and Health Institute, and shall be recorded on the SF123ps, First Aid/CPR/AED Proficiency Testing Record.

#### **4.3.3** Unit 9, Firearms, if applicable

- a. The psychomotor skills assessment for the firearms unit consists of a number of SPOs that each student shall successfully achieve to be eligible to receive an OPOTC Certificate. The firearms training shall include a minimum of 20 hours of classroom and live-fire training exercises on the range in each handgun to be used and if a shotgun is to be used, a minimum of 5 hours of training in the use of the shotgun. 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 student must complete and meet the applicable 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. The Commander shall ensure the Proficiency Testing Records for each student have been properly completed. The Commander shall verify the Instructor(s) who scored the student’s proficiency testing record signs the Proficiency Testing Records.
- c. 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. To pass the written test, one must successfully answer each and every question on the test. Students who fail the first attempt are given a second attempt. At this second attempt, to pass the written test, the student must retake the test as a whole and successfully answer each and every question on the test. Any student who fails both attempts must retake the entire firearms course and successfully complete all requirements to receive a certificate of completion.
- d. 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.
- e. The written 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.
- f. The Commander shall sign the written test and will submit all attempts of the written test with the closing audit.

#### **4.3.4** Unit 10, Homeland Security

Topic 10-2, Incident Command System: The psychomotor skills assessment for Incident Command System (ICS) shall be recorded on the SF134ps – Incident Command System (ICS) Proficiency Testing Record.

Topic 10-3, National Incident Management System: The psychomotor skills assessment for the National Incident Management System (NIMS) shall be recorded on the SF136ps – National Incident Management System (NIMS) Proficiency Testing Record.

**Section 5**  
**Ongoing Procedures**

**5.1 Notification of Changes in School Schedule (Form SF185unv)**

**5.1.1** The Commander shall notify the Compliance Officer at least 24 hours in advance of any of the following changes to the school calendar:

- a. Dates;
- b. Topics;
- c. Locations;
- d. Times;
- e. Cancellations;
- f. Instructor(s).

**Note:** The Commander will revise the school calendar as these changes occur.

**5.1.2** The form for notifying the Compliance Officer is the SF185unv, Notification of Changes in School Schedule. This form shall contain the following information:

- a. School name and number (no abbreviations, use the same name throughout the form);
- b. The original date and time the topic was scheduled;
- c. The proposed date and time the topic is to be scheduled;
- d. The location of the class;
- e. Proposed time of reschedule;
- f. The correct OPOTC topic number and title;
- g. The reason the change is needed;
- h. The Instructor's name (last name, first name and middle initial), OPOTC certificate number and expiration date (e.g., Doe, John A., PST 29999, 01/01/2022);
- i. The date the Commander notified the Compliance Officer of the proposed change and the method.

**5.1.3** In case of an Instructor addition or substitution (change), the Commander will send copies of applicable OPOTC certifications attached to SF185 to the Compliance Officer. In case of an Instructor addition or substitution for a topic that requires certification by a non-OPOTC agency, (First Aid/CPR/AED, etc.) the Commander shall submit copies of the applicable certifying document from credentialing agency, documentation of any updates that the credentialing agency may require, the OPOTC Instructor certificate and attach these documents to the SF185 to the Compliance Officer.

**5.1.4** For same day changes, the Commander shall contact the Compliance Officer by telephone, voice mail, or text indicating that a change in the school calendar must occur

that day and stating the reason for the change. The Commander then will prepare and send (i.e. email) the SF185unv to the Compliance Officer.

## **5.2 Monitoring classes**

- 5.2.1** The Commander shall be reasonably available to answer student questions and provide guidance where indicated.
- 5.2.2** The Commander and Instructors are responsible for maintaining compliance and safety considerations during all training activities.
- 5.2.3** The Commander and Instructors shall ensure that required instructor-to-student ratios are met during practical portion of skills training and other topics that have required ratios. Unless otherwise noted, classroom portions of skill area topics do not require instructor-to-student ratios.
- 5.2.4** The Commander and Instructors will ensure that the latest versions of OPOTC lesson plans are being used in class. New lesson plans are released once a year. The current Private Security Academic and Firearms Basic Training curriculum is available on the Ohio Law Enforcement Gateway (OHLEG) website, [www.ohleg.org](http://www.ohleg.org) . The units, topics, hours, and lesson plans must be taught in their entirety.
- 5.2.5** The Commander and Instructors shall give due regard to safety considerations during all training activities (e.g., dangerous weather conditions).

## **5.3 Student Sign-in Sheets (Form SF121unv)**

- 5.3.1** The 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.
- 5.3.2** The sign-in sheets shall contain the following information:
  - a. School name and number (no abbreviations, use same name throughout the form);
  - b. Date of class;
  - c. All topic titles, topic numbers, and hours of each topic as scheduled;
  - d. The total number of hours of the training day (OPOTC topics only);
  - e. The typed name of each student, in alphabetical order (last name, first name, middle initial), with non-full-time students listed separately;
  - f. The signature of each student next to the typed name;
  - g. The exact time each student arrives at class for the day (e.g., 7:52 a.m. or 0752);
  - h. The 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. The exact time each student re-enters class after a 30-minute break or other extended absences;

- j. The exact time each student leaves class at the end of the training day;
- k. Hours “present” or “absent” for each student;
- l. The signature and Instructor certificate number of each Instructor teaching topics listed on the sign-in sheet by alphabetic designator;
- m. Indicate Instructor by circling letter in the boxes next to the topic and title;
- n. If there is not adequate space on the sign-in sheet for multiple sign-in and sign-out times, the student should use the back of the SF121unv to record the additional times.

**5.3.3** All scheduled Instructors shall sign the sign-in sheets at the conclusion of each class.

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

#### **5.4 Student Attendance Roster (Form SF120unv)**

**5.4.1** The Commander shall prepare the attendance roster using the form SF120unv. The Commander shall update the form 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 be completed as follows:

- a. School name and number (no abbreviations, use same name throughout the form);
- b. School dates;
- c. Students listed in alphabetical order (last name, first name, middle initial);
- d. Dates of classes shall be listed on the top line of the form (with month/date/year entered in each space);
- e. List the number of hours in attendance for each student on each day.

#### **5.5 Notification of Make-up Hours (Form SF122unv)**

**5.5.1** Make-ups must be completed within 14 days of the date that the student returns to class, unless excused by way of a medical extension or a military extension. If the make-ups do not occur within this time frame, the student cannot attend other academy courses until all make-ups have been completed.

Whenever it becomes necessary for a student to make-up training, the Commander shall notify the Compliance Officer 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 and number;
- b. Student’s name (last name, first name, middle initial);
- c. Date original class missed;
- d. Proposed date of make-up class;
- e. Number of hours to be made up;

- f. Time of make-up session;
- g. OPOTC topic number and title;
- h. Mark “X” if original Instructor, submit class update if a new Instructor;
- i. In instances where an Instructor other than the original Instructor will be teaching the make-up session, type the new Instructor’s name, OPOTC PST certificate number and expiration date in the Instructor block.

Submit the Instructor’s OPOTC PST Instructor Certificate and any applicable current certificates from an outside credentialing agency, (i.e. AHA, ASHE, Red Cross for First Aid Topic 7, etc.);

- j. Location of make-up session;
  - k. Date and method Compliance Officer was notified.
- 5.5.2** The SF122unv is a continuing form. When the next student requires make-up hours, the Commander will follow the same process and complete the next line on the form.
- 5.5.3** Commanders shall maintain the SF122unv, Notification of Make-up Hours Form and present it to the Compliance Officer at the closing audit, along with a separate form SF120unv, Student Attendance Roster and a separate SF121unv, Student Sign-in sheet for those students required to make-up hours.
- 5.5.4** If a student arrives late to class and is 15 minutes or less late, the time and missed material may be made up at the end of the class day with the original Instructor, if the Instructor is willing to do so. If not, the absence will be counted as a half hour.
- 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. For 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 (2212 hours). If absence is not made up at the end of the class day it will be counted as half an hour.
- 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 by the original Instructor. It can also be made up by another Instructor, provided the Commander contacts the Compliance Officer and sends copies of applicable certificates. Any make-up, whether by the original Instructor or another certified Instructor, must be documented on the Notification of Make-up, SF122unv and accompanying Student Attendance Roster, SF120unv.
- 5.5.6** If make-up hours result in training that is scheduled for more than five hours per training day, there must be a break of at least a 30-minute period. Similar to regular training that exceeds five hours per training day, the break period must be documented and should be scheduled approximately in the middle of the training day. If make-up hours result in training exceeding 10 hours in a given day, an additional 30-minute break period must be

scheduled so that no one block of training time exceeds five consecutive hours without a 30-minute break.

- 5.5.7** If hours are to be made-up on the same day they were missed, the Commander will notify the Compliance Officer by phone, voice message, or email in advance and then fax the SF122 to the Compliance Officer as soon as possible.
- 5.5.8** Students who must complete make-ups may not be combined with other students who missed different content in the same topic.
- 5.5.9** All make-up hours must be completed by the last day in which OPOTC topics will be taught in the training academy. If the actual regularly scheduled class that was missed was scheduled on that last day, the student must complete that make-up within three (3) business days.
- 5.5.10** If, at the time of the closing audit, the 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 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/her designee. As provided in OAC 109:2-3-07, 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 Compliance Officer prior to the approved make-up session.
  - d. Upon completion of the make-up session, the Commander shall present the SF122unv, Notification of Make-up, the SF120unv, Student Attendance Roster, and the SF121unv, Student Sign-in Sheet, to the Compliance Officer.
- 5.5.11** If, due to the size of a make-up class, a Commander feels the ratio should be modified; the Commander must get approval from the Compliance Officer prior to the make-up.

## **5.6 Medical Extensions**

- a. Students who are injured or develop a medical condition which prohibits them from participating in any topic for which they are unable to obtain a medical release in order to complete any requirement prior to the last day of OPOTC topics, may request a medical extension for the purpose of completing course topics.
- b. The procedure for requesting a medical extension is as follows:
  - 1. Commander provides the student with the Medical Extension Request SF193unv;

2. Student makes appointment with a medical professional (a medical doctor (MD), osteopath (DO), physician's assistant (PA), or certified nurse practitioner (CNP), licensed by the Ohio State Medical Board or the Ohio State Board of Nursing, or a neighboring state's equivalent, or a medical professional with the US Department of Veterans' Affairs) for an examination. The medical professional completes and signs the Medical Extension Request, SF193unv. Student returns completed form to the Commander;
  3. Commander completes the Medical Extension Request form and submits to OPOTC Executive Director;
  4. OPOTC Executive Director will review the paperwork and render a decision about the medical extension. The Commander and student will be notified of the Executive Director's decision.
- c. No such extensions shall extend beyond one year from the first day of the school;
  - d. If approved by the medical professional, the student must arrange to make-up the required topics through the Commander. The Commander will notify the Compliance Officer of these scheduled make-ups no less than 24 hours prior to the scheduled topic(s).
  - e. Upon completion of the required hours, the Commander shall contact the Compliance Officer to schedule a closing audit of the student.

## **5.7 Class time**

- 5.7.1** The Commander shall ensure that Instructors teach class for the entire time scheduled for each topic.
- 5.7.2** 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 a class day, extend lunch, delay starting time, etc.).
- 5.7.3** Class time may not be used for Instructor preparation or other administrative tasks (e.g., making copies, setting up audio-visual equipment, traveling to and from firearms range, grading tests, completing student forms, etc.).

## **5.8 Scheduling the State Certification Examination**

- 5.8.1** After scheduling the closing audit with the Compliance Officer, the Commander shall contact the OPOTC Testing Coordinator to schedule an examination date. The examination may not take place sooner than 14 days after the final audit.
- 5.8.2** The Testing Coordinator will confirm the exam date by sending form EX720 to the Commander.

## **5.9 Special Accommodations Testing Request**

Any Private Security Academic student who needs special accommodations to take the State Certification Examination must have the Commander submit a completed OPOTC State Certification Examination Special Accommodation Request and Checklist, EX735,

to the OPOTC Testing Coordinator. These requests must be made by the Commander and shall 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 Commander shall submit the following documentation:

- a. A description of the student's specific disability and the special accommodations requested, with a detailed explanation of why an accommodation is needed. Such accommodation can include a request for an extended time limit and/or an oral exam;
- 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 specific nature of the disability or:
  1. An Individual Education Plan (IEP) or;
  2. A Multi-Functional Evaluation (MFE).
- c. Upon approval the Testing Coordinator will set a test date with the Commander;
- d. Special accommodations examinations will be conducted at the OPOTA campus in London, Ohio, on an individual basis.

## **5.10 Collect and Grade Student Notebooks Private Security Academic**

**5.10.1** The 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 for Notebook on the Student Evaluation SF155ps.

**5.10.2** Return notebooks to students after evaluating them.

## **5.11 Collect All Proficiency Testing Records**

**5.11.1** The Commander shall ensure that all skill area Proficiency Testing Records have been properly completed by the student and Instructor.

**5.11.2** The Commander shall ensure that each student's Proficiency Testing Records correspond to the Curriculum Code for the school the student attended.

**5.11.3** The Commander shall verify that the Instructor(s) who scored the student's proficiency testing record signs the Proficiency Testing Records. Original signatures are required; no stamped signatures will be accepted.

**5.11.4** Proficiency Testing Records shall be categorized by skills area and arranged alphabetically to correspond with the Student Attendance Roster, SF120unv.

**5.11.5** The Commander shall keep on file the original Proficiency Testing Records for Subject Control Techniques, First Aid/CPR/AED, ICS and NIMS, and shall make them available for review by the Compliance Officer at the closing audit or upon request.

**5.11.6** The Commander shall keep on file the original Proficiency Testing Records and copies of all attempts at the written SPO test, Form SF145ps, shall be submitted with the closing packet. The Commander should keep copies of these forms for the academy file.

## **5.12 Records Maintenance**

Commanders are strongly encouraged to consult with legal counsel regarding their responsibility to maintain sign-in sheets, Proficiency Testing Records and other school records for each student who attends a Private Security Training Academy.

## Section 6

### Closing Audit

Prior to the last day of class in which OPOTC topics are taught, the Commander will contact the Compliance Officer 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 after the last day of OPOTC topics. Any errors, omissions or discrepancies in the closing paperwork will be corrected before the closing documents are submitted to the Certification Officer for final review and approval.

Once the audit is complete the Commander will send the closing paperwork and the appropriate fee to a Certification Officer.

#### **6.1 Private Security Academic Students**

**6.1.1** The appropriate paperwork for students shall be submitted to the Compliance Officer at 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:

**6.1.2 Form SF105unv – Revised School Calendar (if applicable).** This form shall include all dates, times, topics and Instructors as it was actually conducted;

**6.1.3 Form SF185unv – Notification of Change in School Schedule (if applicable);**

**6.1.4 Form SF120unv – Student Attendance Roster;**

**6.1.5 Form SF121unv – Student Sign-in Sheets;**

**6.1.6 Form SF122unv – Notification of Make-up Hours (if applicable).** 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. A separate SF121unv Student Sign-in sheet shall be used for each make-up session.

**6.1.7 Form SF123ps – First Aid/CPR/AED Proficiency Testing Record;**

**6.1.8 Form SF127ps – Subject Control Proficiency Testing Record;**

**6.1.9 Form SF134ps – Incident Command System Proficiency Testing Record;**

**6.1.10 Form SF136ps – National Incident Management System Proficiency Testing Record;**

**6.1.11 Form SF175unv – Closing Letter.** The Commander must complete the Certificate Fee box by typing the required information and must include:

- a. Enter check number, money order number, or purchase order number on line provided;
- b. Total amount due/enclosed per Appendix B;
- c. Enter total number of certificates requested to be issued.

### **6.1.12 Form SF155ps – Student Evaluation Record**

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. The SF155ps form shall be completed as follows:

- a. School name, course number, and dates;
- b. Student names, list in alphabetical order by last name, first name, middle initial;
- c. Complete all blanks for applicable skill areas with “S” (Satisfactory), “U” (Unsatisfactory), or “N/A” (Not Applicable);
- d. If the student dropped out, withdrew, was excused, or granted an extension, note next to their name;
- e. List the percentage of non-mandatory OPOTC hours the student missed. This is calculated by dividing the number of hours missed by the number of non-mandatory OPOTC hours;
- f. The exam score column will be completed by the Certification Officer;
- g. Commander’s signature and date.

**Note:** Students who miss more than 10% of OPOTC non-mandatory classes are not eligible to take the State Certification Examination.

**6.1.13** All current Proficiency Testing Records must be available for review at the closing audit. Students, who successfully pass Unit 8 First Aid/CPR/AED, must be provided by their academy with a copy of their certification from the American Heart Association, American Red Cross, or the American Safety and Health Institute.

**6.1.14 Form EX705/710—State Certification Examination Qualification Form.** This form shall be completed as follows:

- a. Complete the entire form, listing student names alphabetically by last name, first name, and middle initial;
- b. The form shall be typed or computer-generated;
- c. All Private Security Academic schools must be audited by an OPOTC Compliance Officer prior to the state certification examination. The Compliance Officer shall sign and date the EX705/710 in order for the academy to be eligible to test;
- d. List only those students who are eligible to test and who will be attending on that particular test date;
- e. Send the signed EX705/710 to the OPOTC Testing Coordinator by fax or email on the day of the closing audit;
- f. A copy of the EX705/710 must be sent with the closing paperwork to the OPOTC Certification Officer.

## Section 7

### State Certification Examination (SCE)

#### 7.1 State Certification Examination Eligibility

**7.1.1** Students shall not sit for the SCE if they have failed any portion of the units of instruction in First Aid/CPR/AED, Subject Control Techniques, Incident Command System, National Incident Management System, the student notebook, or any other area designated by the Ohio General Assembly or OPOTC. OAC 109:2-3-09 (B)

#### 7.1.2 Attendance

- a. A student who misses any portion of a mandatory topic is **NOT eligible** to take the SCE 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 SCE.
- c. If a student in a high school becomes ineligible to take the SCE, the student may continue taking classes in order to complete high school credit hours for the course.

#### 7.2 State Certification Examination

**7.2.1** The Commander or designee **must** accompany the student(s) to the SCE. In addition to seeing students through this final phase of their training, the Commander's presence will assist OPOTC testing staff to ensure the students are present, professional, quiet, and respectful to venue staff and guests, and to remind students of items that are prohibited in the testing area.

Prohibited items include:

- Food and drinks
- Cell phones
- Watches
- Jackets, coats, and hats (to include head covers of any type)
- Purses, briefcases, backpacks, satchels, etc.
- Notebooks, study guides, paper, or other materials of any kind.

**7.2.2** The OPOTC will prepare and administer a SCE for each student successfully completing Private Security Academic Basic Training.

**7.2.3** The Testing Coordinator will contact the Commander with the test results. The SCE results will be released only to the Commander or a designated contact person.

**7.2.4** The Testing Coordinator will score the SCE and notify the Commander of the scores within five business days following the SCE. All requests, including those pertaining to testing arrangements or SCE results, must be made by the Commander or designated

person only. Under no circumstances shall a Commander instruct a student to contact the Testing Coordinator or the OPOTC London office.

- 7.2.5** Students who fail the SCE 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. This also applies to no-shows with one retest remaining. The Commander will be notified of the retest date at the same time the Commander receives the test results.
- 7.2.6** If a student fails to attend the scheduled SCE, the Testing Coordinator will send an EX730, OPOTC State Certification Absence Form, to the Commander. Within two business days of receiving that form, the Commander must complete and return it to the Testing Coordinator.
- a. If the Commander indicates that the student did not have a legitimate reason to miss the SCE, the absence will count as a failure.
  - b. If the Commander indicates that the student did have a legitimate reason to miss the SCE, the absence will not be counted as a failure.
  - c. In either case, the Commander must state the reason for the absence.
  - d. In either case, no more than two EX730's can be requested and/or approved.
- 7.2.7** Students who fail the retest must repeat the Private Security Training course in order to take the SCE again.

## **Section 8 Post-Closing Procedures**

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 SCE.

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.

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 within five calendar days of receiving them from OPOTC.

## **II.Private Security Firearms and Requalification**

### **Who can run a private security training academy?**

Any individual or private business that meets the requirements of the Ohio Administrative Code and is approved by the Executive Director can conduct Private Security Firearms Training.

### **Who may attend a private security firearms training academy?**

Anyone over the age of 18 and who are not otherwise under a firearms disability may attend a private security firearms training academy. This training may be offered as part of a private security training academy including all lessons in the academic program with additional firearms or as a separate stand-alone course.

Once students receive a certificate of completion of firearms training, they shall undergo firearms requalification. The renewal date for initial requalification shall be established as eighteen months from the date of completion of the basic firearms training course. Thereafter, they shall undergo firearms requalification every twelve months.

### **What audits and oversight can I expect during a private security firearms training academy?**

Certification Officers will conduct an opening audit to review the application and supporting documentation needed to run a private security firearms training academy at least 21 days prior to the start of it. They will also conduct a closing audit at the end of the academy. The closing audit ensures all students have met Commission requirements and are eligible for certification.

Compliance Officers will also make regular visits to the academy to observe instruction and review paperwork.

## Section 1

### Pre-Opening Organization

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

#### 1.1 Commanders

- 1.1.1 A person desiring to become a Commander for any OPOTC-approved training must submit an application to OPOTC for approval. The Commander's application must be filed and approved by OPOTC before any other action can be taken.
- 1.1.2 A person applying to become a Commander must be associated with an existing or proposed school. A letter from the CEO of the school attesting to the institution's desire for the person to become a Commander must accompany the application.
- 1.1.3 The minimum qualifications for a Private Security Firearms Commander are established by Ohio Administrative Code [OAC 109:2-3-04\(D\)](#)
- 1.1.4 After the application is provisionally approved, the applicant must register for the OPOTC Commander Course. Within 30 days of successful completion of the OPOTC Commander Course, the applicant must meet with their Compliance Officer and, if needed, complete an on-site inspection. Once completed, the Commander Certificate will be issued. This certification process must be completed before any other action may be taken.
- 1.1.5 Only OPOTC-certified Commanders may conduct OPOTC-approved training programs. A Commanders' OPOTC certificate must be current and shall not expire prior to or during the dates a Private Security Firearms Basic/Requalification Training School is scheduled. For information regarding Commander certification renewal, please refer to [OAC 109:2-3-04\(F\)](#)
- 1.1.6 Commanders approved for a particular school may not permit any other person to function as the Commander. If the Commander of record will be absent for an extended period of time (e.g., vacation, illness, etc.), during the school, an OPOTC-certified Private Security Firearms Training Commander must be designated in writing and such notice must be submitted to the Compliance Officer and Certification Officer prior to the occurrence.
- 1.1.7 Commanders may not enroll in any part of a Private Security Training program for which they are the Commander.
- 1.1.8 If a Commander intends to conduct two different schools during the same timeframe at different locations the Commander must obtain written approval from the Executive Director prior to conducting the schools.
- 1.1.9 If at any time the Commander learns of criminal charges, disciplinary actions, or official complaints regarding any Instructor, Commander or Student whether made in

reference to their position as an Instructor, Commander or Student or otherwise, the Commander must inform the Compliance Officer.

## **1.2 Teaching Facilities**

- 1.2.1** The Ohio Administrative Code requires that, at a minimum, all Private Security Academic Training Academies shall have the following facilities and equipment:
- a. A classroom with adequate heating, lighting, ventilation, and restroom facilities;
  - b. A chalkboard and chalk, or equivalent;
  - c. Tables and chairs suitable for writing or seats with an arm for writing;
  - d. Audio-visual equipment (optional for basic firearms and requalification training);
  - e. A lectern, stand, or table for the Instructor's use;
  - f. A gymnasium or large indoor area for teaching defensive tactics and other physical skills topics supplied with appropriate training and safety equipment;
  - g. Access to an OPOTC-approved firearms range (if optional firearms training offered);
  - h. Any other equipment, facilities, program, or software as required by the OPOTC Executive Director. [OAC 109:2-3-03\(A\)](#)
- 1.2.2** All ranges used for OPOTC purposes must have a trauma kit and a working Automated External Defibrillator (AED) on site.
- 1.2.3** During the practical exercise, only students enrolled in the Private Security Firearms or Requalification Training Program may share the range, regardless of the number of empty stalls between them.
- 1.2.4** All classrooms must meet applicable building and fire codes.
- 1.2.5** If an on-site inspection is needed, the Commander shall arrange for such inspections on or before the opening audit. The OPOTC Compliance Officer assigned to a training academy must conduct an on-site inspection and approve the teaching facilities at the following times:
- a. When a new facility is proposed;
  - b. When a previously inspected training site is changed;
  - c. At any time upon request by OPOTC staff;
  - d. Every three (3) years.

## **1.3 Instructors**

- 1.3.1** Only OPOTC-certified Instructors may teach OPOTC topics during OPOTC-approved training programs. The Commander is responsible for ensuring that each Instructor is properly certified on the date and time scheduled to teach in a Private Security Training program.

Only OPOTC-certified Private Security Firearms Unit Instructors may teach in a Private Security Firearms Basic or Requalification program.

- 1.3.2** Prior to the opening audit, the Commander must communicate with each Instructor scheduled to verify their availability for the scheduled topics, dates, and times.
- 1.3.3** An Instructor may not enroll as a student in a Private Security Training program for which they are scheduled as an Instructor.
- 1.3.4** To become an OPOTC-certified Unit Instructor, a person must apply to the OPOTC for certification. Instructor applications must be signed by a current OPOTC-certified Private Security Training Commander, either PSF or PSC adult program with firearms.
- 1.3.5** The minimum qualifications for a Unit Instructor in a Private Security Basic or Requalification Training Program are established by 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 for which they have been certified. If any OPOTC topics 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 until these discrepancies have been corrected.
- 1.3.7** Commanders must verify Instructor credentials, certified topics, certification numbers and expiration dates.
- 1.3.8** The Commander is responsible for ensuring that Instructors use the most current version of Firearms lesson plans. The Commander must provide Instructors with copies of the OPOTC 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 completion of the 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. New lesson plans are released once a year.
- 1.3.9** Commanders must maintain a current copy of each Instructor certificate to serve as a guide during schedule preparation. This file must be available for inspection anytime upon request by OPOTC staff.
- 1.3.10** For information regarding Instructor Certification renewal, please refer to [OAC 109:2-3-05\(D\)](#)

#### **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 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 A, 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.
- 1.4.4** Students may not instruct in any part of the Private Security Training School in which they are enrolled.

## **Section 2**

### **Opening Audit**

The Commander must submit the opening paperwork to the Certification Officer. The opening paperwork and the appropriate fee must be received at the OPOTC-London office at least twenty-one (21) days prior to the first day of the course in which OPOTC topics will be taught. 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 (See Appendix B); 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 Commander will submit the required paperwork, in the order listed below to the Certification Officer. 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 Commander does not receive written approval at least five (5) days prior to the first scheduled day of training, the Commander shall contact the assigned Certification Officer to inquire as to the status of the application.
- 2.1.5** If the start date for the school changes for any reason, the assigned school number shall immediately become void and the Commander must re-apply for a new school number at least 21 days prior to the new start date.
- 2.1.6** If the application is denied, the 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 typed and completed in its entirety. Incomplete applications will be returned to the Commander for completion.**

## **2.3 School Calendar (Form SF105unv)**

- 2.3.1** The Commander must complete the school calendar using the provided form, SF105unv. The calendar shall contain the topic headings as they appear on the Private Security Firearms Training Curriculum. Only OPOTC topics are to be listed on the calendar.
- 2.3.2** The firearms training shall include a minimum of 20 hours of classroom and live-fire training exercises on the range in each handgun to be used and if a shotgun is to be used, minimum of 5 hours of training in the use of the shotgun. A minimum of 4 hours of training shall be conducted for requalification.
- 2.3.3** 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).
- 2.3.4** 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 OAC 4501:7-1-04(C)(1). Students are not required to complete a background check prior to participating in a Private Security Firearms training program 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 Commander who allows a Student with a weapons disability to participate in firearms training may also be criminally liable.

## **2.4 Skill Topic Ratios**

- a. The Commission requires the following Instructor-to-Student ratios during the practical portion of the Firearms topic: a. Unit 9, Firearms, one OPOTC-certified private security firearms Instructor (PST) for every five Students at the firing line; 1:5. In addition, an OPOTC-certified firearms Instructor must be present to maintain order and safety for all other Students not on the firing line. A certified in-service firearms requalification Instructor (REQ) may perform this function, but may not be an Instructor on the range itself. This ratio would also apply any time practical (e.g., hands-on, inert, simulation, laser, FATS) training is taking place, even if such activities are held in the classroom or in other non-range areas, to ensure consistent instruction and safety.
- b. 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 10 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 lecture instruction.

**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**  
**Ongoing Procedures**

**3.1 Notification of Changes in School Schedule (Form SF185unv)**

**3.1.1** The Commander shall notify the Compliance Officer 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).

The Commander will revise the school calendar as changes occur.

**3.1.2** In instances of an Instructor addition or substitution, the Commander shall submit to the Compliance Officer and Certification Officer a copy of the Instructor’s certificate along with the SF185unv Notification of Change in School Schedule form.

**3.1.3** For same day changes the Commander shall contact the Compliance Officer 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 Commander will then prepare and send (i.e. email) the SF185unv form.

**3.1.4** The Commander shall submit the SF185unv form in its entirety at the closing audit.

**3.2 Monitoring classes**

**3.2.1** The Commander shall be available throughout the school to answer student questions and provide guidance when appropriate.

**3.2.2** The Commander and Instructors are responsible for maintaining compliance and safety considerations during all training activities.

**3.2.3** The Commander and Instructors shall ensure that required instructor-to-student ratios are met during practical portion of skills training and other topics that have required ratios. Unless otherwise noted, classroom portions of skill area topics do not require instructor-to-student ratios.

**3.2.4** The Commander and Instructors will ensure that the latest versions of OPOTC lesson plans are being used in class. New lesson plans are released once a year. The current Private Security Academic and Firearms Basic Training curriculum is available on the Ohio Law Enforcement Gateway (OHLEG) website, [www.ohleg.org](http://www.ohleg.org) . The units, topics, hours, and lesson plans must be taught in their entirety.

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

### **3.3 Student Sign-in Sheets (Form SF121unv)**

**3.3.1** The 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 (no abbreviations, use same name throughout the form);
- b. Date of class;
- c. All topic titles, topic numbers, and hours of each topic as scheduled;
- d. The total number of hours of the training day (OPOTC topics only);
- e. The typed name of each student, in alphabetical order (last name, first name, middle initial), with non-full-time students listed separately;
- f. The signature of each student next to the typed name;
- g. The exact time each student arrives at class for the day (e.g., 7:52 a.m. or 0752);
- h. The 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. The exact time each student re-enters class after a 30-minute break or other extended absences;
- j. The exact time each student leaves class at the end of the training day;
- k. Hours “present” or “absent” for each student;
- l. The signature and Instructor certificate number of each Instructor teaching topics listed on the sign-in sheet by alphabetic designator;
- m. Indicate Instructor by circling letter in the boxes next to the topic and title;
- n. If there is not adequate space on the sign-in sheet for multiple sign-in and sign-out times, the student should use the back of the SF121unv to record the additional times.

**3.3.3** All scheduled Instructors shall sign the sign-in sheets at the conclusion of each class.

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

### **3.4 Student Attendance Roster (Form SF120unv)**

**3.4.1** The Commander shall prepare the attendance roster using form SF120unv. The 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.

### **3.5 Notification of Make-up Hours (Form SF122unv)**

**3.5.1** Make-ups must be completed within three (3) days of the date that the student returns to class, unless excused by way of a medical extension or a military extension. If the make-ups do not occur within this time frame, the student cannot attend other academy courses until all make-ups have been completed.

The Commander shall notify the Compliance Officer and Certification Officer, using the SF122unv, at least 24 hours prior to any student completing a make-up session.

- 3.5.2** The SF122unv is a continuous form. When the next student requires make-up hours, the Commander will follow the same process and complete the next line on the form.
- 3.5.3** Commanders shall maintain the SF122unv and submit it to the Certification Officer for closing audit, along with a separate form SF120unv, Student Attendance Roster for just those students who are required to make-up hours. A separate SF121unv Student Sign-in sheet shall be used for each make-up session.
- 3.5.4** If hours are to be made-up on the same day they were missed, the Commander shall notify the Compliance Officer and Certification Officer by telephone or voice message in advance and then email the SF122unv to the Compliance Officer 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 (2212 hours).

- 3.5.6** 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. It can also be made up by another Instructor, provided that first the Commander must contact OPOTC staff and receive confirmation that the other Instructor is OPOTC-certified in that topic. Any make up, whether by the original Instructor or another certified Instructor must be documented on the Notification of Make-up, SF122unv and accompanying Student Attendance Roster, SF120unv.
- 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. If the actual regularly scheduled class that was missed was scheduled on that last day, the student must complete that make-up within three (3) business days.

### **3.6 Class time**

- 3.6.1** The 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 or other administrative tasks (e.g., making copies, setting up audio-visual equipment, traveling to and from firearms range, grading tests, completing student forms, etc.).

### **3.7 Collect All Proficiency Testing Records**

- 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 firearms training shall include classroom and live-fire training exercises on the range. Each Student is afforded two attempts to complete each SPO. Students who are unsuccessful in answering the questions on the written Student performance objectives test correctly or attaining the minimum level of firearms proficiency within the allotted two attempts must repeat the entire basic course to be certified in firearms.
- b. 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. The Commander shall ensure the SPO score sheets for each Student have been properly completed. The Commander shall verify the Instructor(s) who scored the Student’s proficiency testing record signs the SPO score sheet.
- c. 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. To pass the written test, one must successfully answer each and every question on the test. Students who fail the first attempt are given a second attempt. At this second attempt to pass the written test, the Student must retake the test as a whole and successfully answer each and every question on the test. Any Student, who fails both attempts, must retake the entire firearms course and successfully complete all requirements to receive a certificate of completion.
- d. 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.
- e. The written 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.
- f. The Commander shall sign the written test and will submit all attempts of the written test with the closing audit

**3.7.1** The Commander shall ensure that all skill area SPO score sheets have been properly completed by the Student and Instructor.

**3.7.2** The Commander shall sign the Written Test and shall submit all attempts of the written test with the closing audit.

- 3.7.3** The Commander shall verify that the Instructor(s) who scored the Student's proficiency testing record signs the Firearms SPO score sheet. Original signatures are required; no stamped signatures will be accepted.
- 3.7.4** The original copy of the Firearms SPO score sheet(s) and copies of all attempts at the written test, Form SF145ps, shall be submitted with the closing packet.
- 3.7.5** The Commander shall keep copies on file of the Firearms SPO score sheet(s) and all attempts at the written test.

The Commander shall notify the Compliance Officer and Certification Officer, using the SF122unv, at least 24 hours prior to any Student completing a make-up session

## Section 4

### 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 last day of OPOTC topics.

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 Private Security Firearms and Requalification 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 Form SF105unv – Revised School Calendar (if applicable).** This form shall include all dates, times, topics and Instructors as it was actually conducted;

**4.1.3 Form SF185unv – Notification of Change in School Schedule (if applicable);**

**4.1.4 Form SF120unv – Student Attendance Roster;**

**4.1.5 Form SF121unv – Student Sign-in Sheets;**

**4.1.6 Form SF122unv – Notification of Make-up Hours (if applicable).** 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. A separate SF121unv Student Sign-in sheet shall be used for each make-up session;

**4.1.7** The original Firearms Proficiency Testing record(s) (SF130ps, SF135ps, and SF140ps) and the written SPO test (SF145ps) shall be submitted to OPOTC along with the closing paperwork;

**4.1.8 Form SF175unv – Closing Letter.** The Commander must complete the Certificate Fee box by typing the required information and must include:

- a. Enter check number, money order number, or purchase order number on line provided;
- b. Total amount due/enclosed per Appendix B;
- c. Enter total number of certificates requested to be issued.

**4.1.9 Form SF110unv – Student Enrollment List.**

**4.1.10** Organize Student Paperwork as a collated packet for each Student in the following order: SF115unv, SF101unv, SF104unv, SF145ps, and Firearms Proficiency Testing

record(s) – SF130ps, SF135ps, and SF140ps; if firearms requalification course, a copy of the Student’s most current OPOTC Basic or Requalification certificate.

Assemble each Student packet together. Submit the packets in alphabetical order as reflected on the Student Enrollment List.

**4.1.11 Form SF115unv – Student Enrollment/Certification Record** (must be typed or printed legibly in blue or black ink). Each line of the form must be completed.

**4.1.12 Form SF101unv – Student Disclosures and Statement of Understanding** (must be printed legibly in blue or black ink by the Student).

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

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.

**A “yes” answer to any of questions 1 through 18 on the OPOTC Student Disclosures and 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 Commander that the potential weapons disability issue has been favorably resolved.**

This matter shall be strictly interpreted, and, as a violation and 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.

**4.1.13 Student Performance Records**

Each of the following Student Performance Records must be completed in their entirety.

**Form SF145ps - Firearms Written Student Performance Objectives Test.** Type or print legibly in blue or black ink.

**Student completes the following:**

- a. Name – last name, first name, middle name;
- b. DOB (Date of Birth);
- c. Date;
- d. All test questions, and each section of the individual questions;
- e. Student signature.

**Commander MUST complete the following:**

- a. Check/mark “1<sup>st</sup>” attempt or “2<sup>nd</sup>” attempt if applicable;
- b. School name;
- c. School number;
- d. Commander name;
- e. Commander signature;
- f. Date.

**4.1.14 Form SF130ps; Form SF135ps; Form SF140ps - Firearms Proficiency Testing Record** for each weapon for which a certificate of completion is sought. Type or print legibly in blue or black ink.

**The Student must complete the following information:**

- a. Student name – first name, middle initial, last name;
- 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 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 and Instructor number of each Instructor who scored the Student’s proficiency testing record;
- e. School name;
- f. Course number;
- g. Commander signature;
- h. Date;
- i. Commander name.

**4.1.15 Form SF104unv - Federal Educational Rights and Privacy Act (FERPA) Consent to Release Student Information.**

**Section 5**  
**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 with the closing paperwork.
- 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 within five (5) calendar days of receiving them from OPOTC.

**5.2 Records Maintenance**

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 Firearms Basic Training or Requalification Program.

**APPENDIX A**

**DISQUALIFYING CRIMES**

## **Introduction**

The purpose of this document is to clarify the Ohio Peace Officer Training Commission's ("OPOTC" or the "Commission") position with respect to weapons disabilities, OPOTC-approved firearms training, and the issuance of certificates evidencing successful completion of such training. In short, OPOTC-certified school commanders are prohibited from providing firearms training to, and the Commission will not generate a certificate of successful completion for, a Student who is under a weapons disability, and is thus prohibited by law from acquiring, having, carrying, or using a firearm. When determining a Student's eligibility to participate in firearms training, we must look to relevant statutes, both state and federal, for guidance.

## **State Weapons Disabilities**

Ohio Revised Code ("R.C.") Section 2923.13 creates a state weapons disability for anyone who, unless relieved from disability under operation of law or legal process,<sup>1</sup> (1) is a fugitive from justice; (2) is under indictment for or has been convicted of any felony offense of violence;<sup>2</sup> (3) 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; (4) 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; (5) has been adjudicated a delinquent child for the commission of a felony offense that, if committed by an adult, would have been an offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse; (6) is drug dependent, in danger of drug dependence, or a chronic alcoholic; or (7) 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,<sup>3</sup> or is an involuntary patient other than one who is a patient only for purposes of observation.<sup>4</sup> State weapons disabilities can be relieved in one of two ways: by court order or by an unconditional pardon from the Governor. The procedures and effect are quite different, and are summarized as follows:

**Court Order:** In cases where a state weapons disability stems from indictment, conviction, or adjudication of a felony offense of violence or felony drug offense under R.C. 2923.13(A)(2) or (3), relief from the disability may be sought pursuant to R.C. 2923.14. This statutory procedure is the exclusive remedy by which a court can remove a state weapons disability.<sup>5</sup> In other words, a court order sealing the record of conviction pursuant to R.C. 2953.32 is not sufficient to relieve a defendant of a weapons disability imposed by R.C. 2923.13. To seek relief of a disability pursuant to R.C. 2923.14, a person must apply to the court of common pleas in the county in which he or she resides at the time of application. This is true even if the weapons disability resulted from

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<sup>1</sup> R.C. 2923.13 (A)

<sup>2</sup> R.C. 2901.01(A)(9)

<sup>3</sup> R.C. 5122.01(B)

<sup>4</sup> R.C. 2923.13(A)(5)

<sup>5</sup> *State v. Hendren*, 9<sup>th</sup> Dist. No. 22464, 2005 Ohio 2814

adjudication as a delinquent child in juvenile court.<sup>6</sup> The court will then conduct a hearing and determine whether the disability shall be lifted.

As an example, suppose a Student's criminal background check reveals a prior conviction for felony drug possession under R.C. 2925.11 in the Franklin County Common Pleas Court, but the Student now resides in Hamilton County. The Student is prohibited from acquiring, having, carrying or using a firearm as provided in R.C. 2923.13(A)(3). The OPOTC will notify the Student and the school commander that an apparent weapons disability exists, which the Student must resolve prior to participating in any portion of firearms training in any OPOTC-approved training program. The Student would have to apply to the common pleas court in his or her county of residence, in this case Hamilton County, and request a court order to remove the disability pursuant to R.C. 2923.14. After the hearing, if the court granted the Student's request, the Student would forward a copy of the court's journal entry to the OPOTC. The Commission would then issue a letter to the Student and school commander indicating that the apparent weapons disability had been resolved, permitting the Student to participate in firearms training.

The removal of a weapons disability pursuant to R.C. 2923.14 will have no effect on the underlying conviction or adjudication. A Student may, at his or her option, seek to have the record of conviction sealed pursuant to R.C. 2953.32 (R.C. 2151.358 if it was a juvenile court adjudication). In such a case, the Student would petition the court that presided over the case resulting in the conviction or adjudication (e.g. the Franklin County Common Pleas Court in the example cited above), which may be different than the court that can remove the weapons disability. The sealing of the record does not remove the Student's conviction or adjudication; it merely prohibits the general public from being able to view it. Accordingly, both the OPOTC and law enforcement agencies acting as prospective employers will still have access to the record of conviction.<sup>7</sup> It should be noted that if the Student desires to enroll in peace officer basic training and has a felony conviction, R.C. 109.77(E)(3) prohibits the Student from being awarded a peace officer basic training certificate. This is true even if the record of conviction has been sealed.<sup>8</sup> In such case, the Student's only recourse is to seek an unconditional pardon from the Governor, as discussed below.

Governor's Pardon: Section 11, Article III of the Ohio Constitution gives the Governor of Ohio the authority to grant pardons. "An unconditional pardon relieves the person to whom it is granted of all disabilities arising out of the conviction or convictions from which it is granted."<sup>9</sup> Thus, an unconditional pardon will not only relieve a state weapons disability, it removes all consequences of the underlying conviction. As indicated above, R.C. 109.77(E)(3) disqualifies a Student who has a felony conviction from becoming a peace

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<sup>6</sup> R.C. 2923.13(A)(2) and (3) (imposing the weapons disability specifically on juveniles adjudicated as delinquent children on violent felony or felony drug charges) and R.C. 2923.14(A) (providing that "any person" subject to an R.C. 2923.13(A)(2) or (3) weapons disability may petition the common pleas court in that person's county of residence).

<sup>7</sup> R.C. 2953.32(D)

<sup>8</sup> *In re Forster*, 161 Ohio App.3d 627, 2005-Ohio-3094 (holding that where an agency is specifically authorized by R.C. 2953.32(D) to inspect a sealed conviction, the agency may consider the conviction in performing its lawful functions).

<sup>9</sup> R.C. 2967.04(B)

officer; an unconditional pardon is necessary to remove this disqualification.

As an example, suppose the criminal background check of a Student intending to enroll in peace officer basic training reveals a prior conviction for Felonious Assault under R.C. 2903.11, a felony offense of violence as defined in R.C. 2901.01(A)(9). Such a conviction creates both a state and a federal weapons disability (see Federal Weapons Disabilities below). The Student could apply to the common pleas court in his or her county of residence to remove the state weapons disability pursuant to R.C. 2923.14. However, R.C. 109.77(E)(3) would still disqualify the Student, as a convicted felon, from obtaining a peace officer basic training certificate. Thus, to be eligible for training, the Student would have to obtain an unconditional pardon from the Governor, which would also resolve the state weapons disability. Upon receiving a copy of the Governor's warrant, the Commission would notify the Student and school commander that the state weapons disability and/or disqualifying felony conviction had been resolved, permitting the Student to enroll and/or participate in basic training.

### **Federal Weapons Disabilities**

Section 922(g), Title 18, of the United States Code ("U.S.C.") creates a federal weapons disability for anyone who (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; (4) has been adjudicated as a mental defective or has been committed to any mental institution; (5) being an alien, is illegally or unlawfully in the United States; (6) has been discharged from the Armed Forces under dishonorable conditions; (7) having been a citizen of the United States, has renounced his citizenship; (8) is subject to a court order restraining 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; or (9) has been convicted in any court of a misdemeanor crime of domestic violence.

It should be noted that in many respects, federal weapons disabilities are very similar to Ohio's. Perhaps the most significant difference is that federal law imposes a weapons disability for misdemeanor domestic violence convictions, which are defined at 18 U.S.C. 921(a)(33). This section defines a misdemeanor domestic violence conviction as a conviction for an offense that is (1) "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 cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim." As a general rule, relief from federal weapons disabilities can be sought from the United States Attorney General pursuant to 18 U.S.C. 925(c). However, in cases of a state misdemeanor domestic violence conviction, the federal statutory definition of "misdemeanor crime of domestic violence" excludes any conviction that "has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights restored."<sup>10</sup> In other

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<sup>10</sup> 18 U.S.C. 921(a)(33)(B)(ii)

words, an order from an Ohio court sealing the record of conviction pursuant to R.C. 2953.32, while it does not technically “relieve” the federal disability [which only the United States Attorney General can do pursuant to 18 U.S.C. 925(c)], does exclude the domestic violence conviction from being considered as a “conviction” that would trigger a federal weapons disability. Similarly, conviction of a “crime punishable by imprisonment for a term exceeding one year” (i.e. a felony conviction in Ohio) does not count as a “conviction” if it has been “expunged, or set aside or [if the] person has been pardoned or has had civil rights restored.”<sup>11</sup> Thus, in effect, an expungement from an Ohio state court does remove the federal domestic violence and felony conviction weapons disabilities. Alternatively, an unconditional pardon yields the same result.

As an example of a federal weapons disability, suppose a Student’s criminal background check reveals a prior conviction for misdemeanor Domestic Violence under R.C. 2919.25. Such a conviction does not create a state weapons disability under R.C. 2923.13. However, a federal weapons disability is imposed by 18 U.S.C. 922(g)(9). The Student would need to petition the court in which he or she was convicted of the domestic violence offense for an order sealing the record of conviction pursuant to R.C. 2953.32. Such an order would exclude the conviction from the federal statutory definition of a misdemeanor crime of domestic violence, and hence the federal weapons disability would no longer apply. The Student would need to forward a copy of the court’s order sealing the record of conviction to the OPOTC. The Commission would then notify the Student and school commander that the disability had been resolved. As an alternative to the sealing under R.C. 2953.32, the Student could petition the Governor for an unconditional pardon. As previously mentioned, since Ohio law does not recognize a misdemeanor domestic violence conviction as an offense that would trigger a state weapons disability under R.C. 2923.13, an application to the common pleas court pursuant to R.C. 2923.14 is not necessary.

### **Juvenile Adjudications**

It should be noted that, under Ohio law, an adjudication in juvenile court as a delinquent child is not considered to be a “conviction” of a criminal offense.<sup>12</sup> In cases where juvenile adjudications are to be treated the same as criminal convictions, the General Assembly has specified that the particular statute applies to both persons who have been convicted of a particular criminal offense, and to persons who have been adjudicated as a delinquent child for the commission of acts that would constitute that particular offense. For instance, the state “felony offense of violence” weapons disability imposed by R.C. 2923.13(A)(2) is specifically made applicable to persons who have 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.

As an example of how juvenile adjudications can sometimes apply, suppose a Student intending to enroll in peace officer basic training has a prior juvenile court adjudication as a delinquent child for committing an act that would constitute Felonious Assault under R.C. 2903.13. R.C. 2923.13(A)(2) imposes a state weapons disability since that subsection specifically applies to juvenile adjudications, and Felonious Assault is a felony offense of violence under R.C.

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<sup>11</sup> 18 U.S.C. 921(a)(20)

<sup>12</sup> R.C. 2151.357(H)

2901.01(A)(9). However, in this case there is no federal weapons disability imposed by virtue of a conviction of a “crime punishable by imprisonment for a term exceeding one year.” Rather, 18 U.S.C. 921(a)(20) states that “[w]hat constitutes a conviction of such a crime shall be determined in accordance with the law of the jurisdiction in which the proceedings were held.” In other words, since under Ohio law a juvenile adjudication is not considered a criminal conviction, the federal weapons disability does not apply. Similarly, R.C. 109.77(E)(3) does not disqualify the Student for having a felony adjudication, since that statute is not expressly made applicable to juvenile court adjudications. Thus, the OPOTC would notify the Student and school commander of the apparent state weapons disability. The Student would need to petition the common pleas court in his or her county of residence pursuant to R.C. 2923.14 to remove the weapons disability. Once obtained, a copy of the court’s journal entry would be forwarded to the OPOTC, and the Commission would in turn notify the Student and school commander that the disability had been resolved.

As another example, suppose the Student’s prior juvenile adjudication was for a misdemeanor domestic violence violation. In this case, there would be no state weapons disability, since Ohio law does not impose a disability for a domestic violence conviction, even if committed by an adult. Moreover, there would be no federal weapons disability, since under Ohio law the juvenile adjudication is not a criminal conviction. Thus, the Student would be permitted to participate in firearms training.

### **Disclaimer**

This document is not intended to cover every conceivable circumstance that Students and/or school commanders may face, nor is it intended to provide specific legal advice for Students who are subject to weapons disabilities and/or disqualifying offenses. Rather, the examples given are intended to illustrate typical scenarios that the Commission frequently encounters, and to clarify the types of proof the Commission will require to approve a prospective Student for training when an issue results from his or her criminal background check. As always, the Commission urges Students and commanders to seek the advice of competent legal counsel to determine what steps are appropriate to their specific situation.

# **APPENDIX B**

## **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.