



ADMINISTRATIVE RULES OF MONTANA



23.13.206 REQUIREMENTS FOR THE BASIC CERTIFICATE

- (1) POST will issue basic certificates in the following disciplines:
 - (a) peace officer;
 - (b) detention/corrections officer;
 - (c) probation and parole officer;
 - (d) misdemeanor probation/pretrial services officer;
 - (e) public safety communications officer;
 - (f) coroner; and
 - (g) reserve officer.
- (2) In addition to ARM 23.13.204 and 23.13.205, the following are required for the award of the basic certificate:
 - (a) All Montana public safety officers must have completed:
 - (i) the probationary period prescribed by law or by the current appointing authority, but in any case, have a minimum of one year discipline-specific experience with the current appointing authority; and
 - (ii) the basic course or the equivalency as defined by the council.
 - (b) Public safety officers with out-of-state training or who have been formerly appointed by a federal agency, state, tribe, county, municipality, city, or town who do not have basic certification and are appointed by a Montana law enforcement and/or public safety agency:
 - (i) must have completed the probationary period prescribed by law, but in any case, have a minimum of one year experience with the present appointing authority;
 - (ii) whose training or service time is determined by the council, the director, or the director's designee as equivalent to the basic course must successfully complete an equivalency program, approved by the council and administered by the MLEA. The council will require those who fail an equivalency program to successfully complete the basic course at the academy; and
 - (iii) whose training or service time is determined by the council, the director, or the director's designee as not equivalent to the basic course must, within one year of initial appointment, successfully complete the basic course.

- (c) All of the training and equivalency requirements for the basic certificate must be accomplished within one year of the initial appointment.
 - (d) The council, the director, or the director's designee may grant a one-time extension to the one-year time requirement for public safety officers upon the written application of the officer's appointing authority. The application must explain the circumstances that make the extension necessary. The council may not grant an extension to exceed 180 days. Factors that the council may consider in granting or rejecting the extension include but are not limited to:
 - (i) illness of the public safety officer or a member of the public safety officer's immediate family;
 - (ii) absence of reasonable access to the basic course, or the legal training course; and/or
 - (iii) an unreasonable shortage of personnel within the department.
 - (e) A public safety officer who has been issued a basic certificate by the council and whose last date of service as a public safety officer, in the discipline for which the officer received a basic certificate, was less than 36 months prior to the date of the person's present appointment as a public safety officer, in the discipline for which the officer received a basic certificate, is not required to fulfill the basic educational requirements as set forth in these rules.
 - (f) If the last date of service as a public safety officer, in the discipline for which the officer received a basic certificate, is more than 36 months but less than 60 months prior to the date of present appointment as a public safety officer, in the discipline for which the officer received a basic certificate, the public safety officer may satisfy the basic requirement by successfully passing a basic equivalency course administered by the academy. If the public safety officer fails the basic equivalency course, the basic course shall be completed within the time frames set forth in the rules. If no basic equivalency course exists for the public safety officer's specific discipline, then the applicable basic course must be completed within one year of the public safety officer's most recent appointment.
- (3) An officer meeting the qualifications outlined above will be issued a basic POST certificate. The discipline of the basic POST certificate issued will correspond to the basic training course the officer attended. POST will not reissue a basic certificate merely to change the discipline listed.

Authorizing statute(s): 2-15-2029, MCA

Implementing statute(s): 2-15-2029, 44-4-403, MCA

History: NEW, 2008 MAR p. 1587, Eff. 8/1/08; AMD, 2014 MAR p. 2951, Eff. 12/12/14; AMD, 2017 MAR p. 1953, Eff. 10/28/17; AMD, 2018 MAR p. 2518, Eff. 12/22/18; AMD, 2020 MAR p. 664, Eff. 3/28/20; AMD, 2024 MAR p. 607, Eff. 3/23/24.