

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT
CHAPTER 29 LAW ENFORCEMENT ACADEMY
PART 5 ~~[REGIONAL/SATELLITE POLICE OFFICER BASIC ACADEMIES]~~ REGIONAL SATELLITE ACADEMIES

10.29.5.1 ISSUING AGENCY: New Mexico Law Enforcement Academy - [~~Training and Recruiting Division,~~] Department of Public Safety, 4491 Cerrillos Road, Santa Fe, New Mexico [~~87505~~]87507
[10-1-97; 10.29.5.1 NMAC - Rn, 10 NMAC 29.5.1, 7/1/01]

10.29.5.2 SCOPE: All law enforcement agencies and any other entities who operate, or seek to operate, a police academy, public safety telecommunicator academy, certification by waiver of previous training, or criminal justice certificate program in New Mexico.
[10-1-97; 10.29.5.2 NMAC - Rn, 10 NMAC 29.5.2, 7/1/01]

10.29.5.3 STATUTORY AUTHORITY: [~~NMSA 1978,~~] Section 29-7-4 (Repl. Pamp. 1994), NMSA 1978[;]; Section 29-7-7 (Repl. Pamp. 1994), NMSA 1978[;]; Section 29-7-7.1 (Repl. Pamp. 1994), NMSA 1978[;]; and Section 29-7-10 (Repl. Pamp. 1994) NMSA 1978.
[10-1-97; 10.29.5.3 NMAC - Rn, 10 NMAC 29.5.3, 7/1/01]

10.29.5.4 DURATION: Permanent
[10-1-97; 10.29.5.4 NMAC - Rn, 10 NMAC 29.5.4, 7/1/01]

10.29.5.5 EFFECTIVE DATE: [~~October 1, 1997~~] January 1, 2018, unless a different date is cited at the end of a section.
[10-1-97, 4-16-98; 10.29.5.5 NMAC - Rn, 10 NMAC 29.5.5, 7/1/01]

10.29.5.6 OBJECTIVE: The purpose of part 5 is to establish procedures for implementation of a regional satellite academy program; to define the required content for such programs and to implement evaluation procedures to be utilized by the [~~department of public safety training and recruiting division~~] New Mexico law enforcement academy for regional satellite academies.
[10-1-97; 10.29.5.6 NMAC - Rn, 10 NMAC 29.5.6, 7/1/01]

10.29.5.7 DEFINITIONS: [~~Reserved~~]
A. "Academy" means the New Mexico law enforcement academy.
B. "Board" means the New Mexico law enforcement academy board.
C. "Director" means the director of the New Mexico law enforcement academy.

10.29.5.8 CERTIFICATION:
A. The [~~New Mexico law enforcement academy~~] board shall determine the maximum number of satellite academies which may be certified at any given time. The [~~New Mexico law enforcement academy~~] board shall weigh the impact on other academies, [~~department of public safety training~~] academy staff and the [~~department of public safety~~] academy training budget.
B. Approved regional satellite academy programs may not be sold, purchased, or transferred [~~prior to New Mexico law enforcement academy~~] without board approval.
C. The following procedures must be adhered to by all regional basic law enforcement, certification by waiver [~~and police radio dispatch~~], and public safety telecommunicator academies, [~~and criminal justice certificate programs~~] for the training program to be approved for [~~certification~~] accreditation in accordance with NMSA 1978, Section 29-7-1 et. al., (Repl. Pamp. 1997).
[3-15-80, 2-14-87, 4-11-89, 10-1-97, 4-16-98, 6-1-99; 10.29.5.8 NMAC - Rn, 10 NMAC 29.5.8, 7/1/01]

10.29.5.9 PROGRAM IMPLEMENTATION:
A. [~~A~~] A regional satellite academy must undergo an accreditation process to ensure that the facilities, instructors, program management, and curriculum meet or exceed the standards and expectations established by the board and the director. Initial accreditation will involve a detailed review of all of the above. [~~A~~]A regional satellite academy will renew its accreditation every three years. A renewal will automatically be processed by the [~~department of public safety training and recruiting division~~] academy, provided [~~the~~]a regional

satellite academy has delivered at least three basic training programs during the previous three calendar years. In the event that ~~an~~ a regional satellite academy has not ~~done so~~ delivered at least three basic training programs, it must complete the initial accreditation process prior to commencing another ~~academy~~ basic training program. The director will publish a compliance manual for satellite academy accreditation.

B. All agencies and institutions requesting approval for each basic training ~~programs~~ program must notify the ~~department of public safety training and recruiting division~~ academy and supply the following information for review and approval prior to any such program's implementation:

(1) curriculum which must correspond with the current minimum standards of training for the requested program as set forth in ~~[10.29.9.8]~~ 10.29.8 NMAC, effective ~~[January 1, 1998 (640 hours)]~~ November 15, 2016 (672 hours); ~~[Subsection A of]~~ 10.29.6 NMAC, effective ~~[January 1, 1999 (120 hours)]~~ November 15, 2016 (80 hours); or ~~[10.29.10.8]~~ 10.29.10 NMAC, effective ~~[October 1, 1997]~~ July 1, 2017 (130 hours); curriculum is subject to change at the discretion of the ~~[New Mexico law enforcement academy]~~ board;

(2) list of ~~department of public safety training and recruiting division~~ academy certified instructors and their assigned course(s); instructors must be certified through the ~~department of public safety training and recruiting division~~ academy, or instruction conducted by a non-certified instructor must be monitored by ~~the department of public safety training and recruiting division~~ an academy certified instructor; technical or high risk areas must be instructed by certified ~~department of public safety training and recruiting division~~ academy instructors; for example, firearms training ~~[-]and~~ qualification must be conducted by a certified ~~department of public safety training and recruiting division~~ academy firearms instructor;

(3) schedule of classes for the entire training period; and

(4) roster of students' full names, dates of birth, and social security numbers.

C. For regional satellite basic law enforcement and ~~[certification by waiver]~~ academies, comparable training facilities for the below listed proficiency areas must be available or contracted for by the requesting agency or instructor and inspected by the ~~department of public safety training and recruiting division~~ academy staff prior to approval.

(1) comparable driving track facility;

(2) comparable firearms range facility; and

(3) comparable obstacle/agility course facility.

D. Upon receipt of this information, a thorough evaluation will be made and notification sent to the agency or institution advising of the decision of the ~~department of public safety training and recruiting division~~ academy. In the event that the program is not approved, notification and recommendations will be sent advising the agency or institution of the program deficiencies. Once these deficiencies have been corrected, the program will again be examined and notification will be sent as to final disposition.

E. Once approval is granted, the agency or institution can conduct the program with the assurance that the program is comparable to or exceeds the minimum standards of training as established by the ~~[New Mexico law enforcement academy]~~ board. Any deviation from the previously approved program must be submitted to the ~~department of public safety training and recruiting division~~ academy for review and approval pending final ~~[certification]~~ accreditation of the program conducted.

~~[F. — Within two weeks of the satellite academy start date, all fitness assessment scores, psychological testing reports and medical examination reports shall be received by the department of public safety training and recruiting division.]~~

~~[G.]F.~~ A minimum of 10 students must be identified prior to commencing an ~~academy~~ approved training program. A hardship waiver must be applied for, and approved by the director, if fewer than 10 students are identified. ~~[There is no maximum amount of students. However, an]~~ An appropriate instructor to student ratio must be maintained. This is especially important in the critical skill areas of physical fitness, firearms, defensive tactics, emergency vehicle operations, and ~~[situational]~~ training exercises. The ~~[certification]~~ number of students completing an ~~academy~~ approved training program is important. A low ~~[certification]~~ completion percentage, as determined by the board, will be grounds for non-renewal of regional satellite academy accreditation. ~~[Students will be allowed two opportunities to pass the certification exam.]~~

~~[H.]G.~~ The board will establish minimum guidelines for instructor and student conduct.

~~[I.]H.~~ The board will determine which regional satellite academies are authorized to conduct basic law enforcement training, certification by waiver of previous training, and ~~[radio dispatcher]~~ public safety telecommunicator training programs. The type of student i.e.; pre-service, local law enforcement, or state law enforcement; allowed to attend a satellite academy program must be approved by the board.

[3-15-80, 2-14-87, 4-11-89, 10-1-97, 4-16-98; 10.29.5.9 NMAC - Rn, 10 NMAC 29.5.9, 7/1/01]

10.29.5.10 REGIONAL SATELLITE ACADEMY POLICE OFFICER AND TELECOMMUNICATOR BASIC TRAINING APPLICATIONS FOR ADMISSION/CERTIFICATION

A. Application requirements:

(1) An agency or applicant who is applying for admission and certification to a regional satellite academy shall complete the regional satellite academy application (LEA-SATAPP) and submit it to the regional satellite academy a minimum of 45 business days, unless an extension is provided in writing by the Director, prior to:

- (a) the mandatory assessment (police officer); or
- (b) the first scheduled day of the satellite academy program (telecommunicator).

(2) The regional satellite academy director will review the applications to assure they meet the requirements listed in 29-7-6 1978 NMSA "Qualifications for Certification", and 10.29.1 and 10.29.9 NMAC for law enforcement officers; or 29-7c-3 1978 NMSA "Qualifications for Certification", and 10.29.10 NMAC for public safety telecommunicators. The regional satellite academy director will sign each application stating that the applicant has met the requirements for admission and certification.

(3) The regional satellite basic law enforcement academies will forward electronic copies of the following sections of the completed application to the academy and the director for approval a minimum of 30 working days prior to the mandatory assessment:

- (a) LEA-1 application for admission and certification form;
- (b) LEA-2 employment verification form;
- (c) LEA-3 medical examination form final page with recommendation - submitted with completed mandatory fields of date, license number, and signature of the M.D. or D.O. (with indication of designation box checked) of the physician who completed the examination;
- (d) LEA-4 psychological examination form cover sheet with recommendation - submitted with completed mandatory fields of date, license number, and signature of the psychologist who completed the examination;
- (e) LEA-6 applicant affidavit criminal history - submitted with offense incident reports, court records or judgement and sentencing documentation for each incident, should there be any;
- (f) LEA-12 applicant affidavit of United States citizenship or legal residency;
- (g) LEA-82 agency employment action form; submitted with completed handgun qualification scores; and
- (h) copy of applicant's high school diploma or G.E.D. and, if applicable, a copy of the DD214 member 4 form listing character of service.

(4) The regional satellite basic public safety telecommunicator academies will forward electronic copies of completed applications to the academy and the director for approval a minimum of 30 working days prior to the first scheduled day of the satellite academy program. Complete applications include:

- (a) LEA-1 application for admission and certification form;
- (b) LEA-3A audiology compliance form;
- (c) LEA-5 fingerprint affidavit form
- (d) LEA-6 applicant affidavit criminal history - submitted with offense incident reports, court records or judgement and sentencing documentation for each incident, should there be any;
- (e) LEA-7 mental, physical and emotional health certification form
- (f) LEA -8 waiver of liability;
- (g) LEA-9 release of information form
- (h) LEA-10 employment verification form
- (i) LEA-12 applicant affidavit of United States citizenship or legal residency;
- (k) copy of applicant's high school diploma or G.E.D. and, if applicable, a copy of the DD214 member 4 form listing character of service; and
- (l) copies of the applicant's federal emergency management agency incident command system 100, 200, 700, and 800 course completion certificates.

(5) The academy will process applications and communicate the results to the regional satellite academy director in a timely manner. If discrepancies are found, they will be returned to the regional satellite academy for correction. An application may be denied based upon the applicant not meeting the requirements of 29-7-6 1978 NMSA "Qualifications for Certification", and 10.29.1 and 10.29.9 NMAC for law enforcement officers; or 29-7c-3 1978 NMSA "Qualifications for Certification", and 10.29.10 NMAC for public safety telecommunicators.

(6) Should an applicant be denied admission or certification by the director, the applicant could seek resolution as listed in 10.29.1.12 NMAC.

~~[10.29.5.10]~~ **10.29.5.11 PROGRAM COMPLETION:** Upon completion of the regional satellite academy program, the agency or institution must provide the following information to the ~~[department of public safety training and recruiting division]~~ academy prior to administration of the law enforcement officer certification examination (LEOCE) or ~~[police radio dispatcher certification examination (PRDCE)]~~ public safety telecommunicator certification examination (PSTCE).

A. Final (revised) student roster: full name, date of birth, social security number, and mailing address of each student;

B. Final (revised) class schedule: dates, time, and length of instruction. Each block of the minimum standards of training will be included;

C. Final (revised) listing of instructors: instructors must be certified through the ~~[department of public safety training and recruiting division certified instructor]~~ academy. Technical or high risk areas must be instructed by a certified ~~[department of public safety training and recruiting division]~~ academy instructor for the specific areas instructed; example, firearms training - qualification must be conducted by a certified ~~[department of public safety training and recruiting division]~~ academy firearms instructor;

D. Block test scores must be provided for each instructional area, as well as scoring for the skill proficiency areas, i.e., firearms, defensive tactics, patrol fitness (1.5 mile run and obstacle course), and driving program. A roster of student names and test scores attested to by the regional satellite program director is sufficient to meet the ~~[department of public safety training and recruiting division]~~ academy testing requirements. ~~[Department of public safety training and recruiting division]~~ Academy testing requirements and minimum scores for the various block and skill proficiency areas are the only acceptable testing criteria; and

E. Final attendance roster for students of the training program.

F. An affidavit prepared by the regional satellite academy director stating that each applicant has met the statutory and NMAC requirements necessary for certification as a police officer or telecommunicator. If a police officer or telecommunicator is self-sponsored and successfully completed all of the training requirements for certification, with the exception of being commissioned as a police officer or employed as a telecommunicator, then the affidavit will document such an exception and include the date the applicant successfully completed the certification exam. The applicant will have one year from the date of the exam to become commissioned as a law enforcement officer or employed as a telecommunicator, to activate their certification.

[3-15-80, 7-17-82, 2-14-87, 4-11-89, 10-1-97, 4-16-98, 6-1-99; 10.29.5.10 NMAC - Rn, 10 NMAC 29.5.10, 7/1/01]

~~[10.29.5.11]~~ **10.29.5.12 LAW ENFORCEMENT OFFICER CERTIFICATION EXAMINATION; TIME LIMITATIONS**

A. Students who successfully complete an ~~[department of public safety training and recruiting division]~~ regional satellite academy program will be allowed to take the law enforcement officer certification examination. Only those students who have successfully completed all requirements under the minimum standards of training, as determined by the director ~~[of the department of public safety training and recruiting division]~~, will be administered the law enforcement officer certification examination.

(1) Students will be allowed two opportunities in which to pass the law enforcement officer certification examination within one year from the date of completion of the satellite program. Students who fail the exam two times must attend the academic portion of the certification by waiver of previous training program prior to taking the exam a third time. Students who fail the test three times will be required to successfully complete the New Mexico law enforcement academy's basic police training program. Students will not be allowed to attend a regional/satellite program.

(2) Students who achieve a passing score on the law enforcement officer certification examination will be allowed one year from the date of the test in which to be eligible for certification. Certification can be granted only when the eligible student is hired by a recognized New Mexico law enforcement agency in a law enforcement position.

(3) If a student secures a law enforcement position after one year from the date of successful completion of the law enforcement officer certification examination, he will be required to attend the certification by waiver of previous training program ~~[-(short course)]~~ conducted by the ~~[department of public safety training and recruiting division]~~ academy.

(4) Students will be allowed three years from the date of successful completion of the law enforcement officer certification examination to secure a law enforcement position. After three years, they will be

required to attend and successfully complete another basic police officer training program ~~[certified]~~ accredited by the ~~[New Mexico law enforcement academy]~~ academy and approved by the board.

B. Students who have successfully completed a satellite program and passed the law enforcement officer certification examination will be provided a letter from the director ~~[of the department of public safety training and recruiting division]~~ attesting to the student's eligibility for certification as a police officer in New Mexico.

C. An application for certification and required supporting documentation must be submitted to the ~~[department of public safety training and recruiting division]~~ within ~~[fourteen]~~ 30 days of the student's employment as a police officer as required under ~~[New Mexico law enforcement academy]~~ board rule 10.29.9.10 NMAC. Any officer (or department) not submitting the required documents is in violation of Section 29-7-1 NMSA 1978, et. al., (Repl. Pamp. 1994), and will be required to forfeit his position.

D. When all paperwork is completed to the satisfaction of the director ~~[of the department of public safety training and recruiting division]~~ for any student requesting certification by successful completion of ~~[a certified]~~ an accredited regional satellite program, or any other previous comparable training, the request will be submitted to the ~~[New Mexico law enforcement academy]~~ board for final approval and award of certification under Section 29-7-1 NMSA 1978, et. al., (Repl. Pamp. 1994).

[2-14-87, 4-11-89, 11-12-89, 10-1-97, 4-16-98, 9-1-99; 10.29.5.11 NMAC - Rn, 10 NMAC 29.5.11, 7/1/01]

[10.29.5.12] 10.29.5.13 [POLICE RADIO DISPATCHER] PUBLIC SAFETY TELECOMMUNICATOR CERTIFICATION EXAMINATION; TIME LIMITATIONS:

A. Students who successfully complete ~~[a department of public safety training and recruiting division]~~ an accredited regional satellite program will be allowed to take the ~~[police radio dispatcher]~~ public safety telecommunicator certification examination (PSTCE). Only those students who have successfully completed all requirements under the minimum standards of training, as determined by the director ~~[of the department of public safety training and recruiting division]~~, will be administered the ~~[police radio dispatcher certification examination]~~ PSTCE.

B. Students will be allowed two opportunities in which to pass the ~~[police radio dispatcher certification examination]~~ PSTCE within one year from the date of completion of the satellite program. Students who fail the test two times will be required to successfully complete the ~~[New Mexico law enforcement]~~ academy's ~~[police radio dispatcher]~~ public safety telecommunicator basic training program. Students will not be allowed to attend a ~~[regional/satellite]~~ regional satellite program.

C. Students who achieve a passing score on the ~~[police radio dispatcher certification examination]~~ PSTCE will be allowed one year from the date of the test in which to be eligible for certification. Certification can be granted only when the eligible student is hired by a recognized New Mexico law enforcement agency in a ~~[dispatcher]~~ public safety telecommunicator position.

D. If a student secures a ~~[police dispatcher]~~ public safety telecommunicator position between one and three years from the date of successful completion of the ~~[police radio dispatcher certification examination]~~ PSTCE, the student will be required to apply for certification by waiver of previous training. This determination is conducted by the ~~[department of public safety training and recruiting division]~~ academy staff, and approved by the director.

E. If a student secures a ~~[police dispatcher]~~ public safety telecommunicator position after three years from the completion of the ~~[police radio dispatcher certification examination]~~ PSTCE, they will be required to attend and successfully complete another ~~[police radio dispatcher]~~ public safety telecommunicator basic training program ~~[certified]~~ accredited by the ~~[New Mexico law enforcement]~~ academy and approved by the board.

F. Students who have successfully completed a regional satellite program and passed the ~~[police radio dispatcher certification examination]~~ PSTCE will be provided a letter from the director ~~[of the department of public safety training and recruiting division]~~ attesting to the student's eligibility for certification as a ~~[police radio dispatcher]~~ public safety telecommunicator in New Mexico.

G. When all paperwork is completed to the satisfaction of the director ~~[of the department of public safety training and recruiting division]~~ for any student requesting certification by successful completion of ~~[a certified]~~ an accredited regional satellite program, or any other previous comparable training, the request will be submitted to the ~~[New Mexico law enforcement academy]~~ board for final approval and award of certification under Section 29-7-1 NMSA 1978, et. al., (Repl. Pamp. 1997).

[2-14-87, 4-11-89, 10-1-97, 4-16-98, 6-1-99; 10.29.5.12 NMAC - Rn, 10 NMAC 29.5.12, 7/1/01]

[10.29.5.13] 10.29.5.14 PROGRAM MONITORING AND EVALUATION:

A. ~~[Department of public safety training and recruiting division]~~The director, or his designee, has the authority to visit the regional satellite training program at any time to monitor and evaluate the training conducted to insure that the program meets the established minimum standards of training.

B. The ~~[department of public safety training and recruiting division]~~ director, or his designee, will investigate any reported information concerning the operation of the regional satellite academy and delivery of training programs. At any time that information on program deficiency is verified, the director can request decertification of the regional satellite program.

(1) The decertification procedures will require a written report on program deficiencies to the ~~[director of the]~~ regional satellite program director, allowing for correction of noted deficiencies.

(2) If the corrections are not made to the ~~[department of public safety training and recruiting division]~~ director's satisfaction, decertification will be recommended to the ~~[New Mexico law enforcement academy]~~ board.

(3) All efforts will be made by the director ~~[of the department of public safety training and recruiting division]~~ and the regional satellite program director to resolve program deficiencies prior to initiation of any decertification proceedings.

(4) The regional satellite program director may appear before the ~~[New Mexico law enforcement academy]~~ board to appeal, or defend against, program certification recommendations.

[2-6-93, 10-1-97; 6-1-99; 10.29.5.13 NMAC - Rn, 10 NMAC 29.5.13, 7/1/01]

HISTORY OF 10.29.5 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under: NMLEA Rule #9, Certification By Waiver, filed 2-14-80; NMLEA Rule #9, Amendment No. 1, filed 6-17-82; NMLEA Rule #9, Regional/Satellite Academies: Certification By Waiver, filed 1-14-87; NMLEA Rule #C3, Regional/Satellite Academies: Certification By Waiver Of Training, filed 3-10-89; NMLEA Rule #C3, Amendment No. 1, filed 10-12-89; NMLEA Rule #C3, Regional/Satellite Academies: Certification By Waiver Of Training, filed 1-6-93.

History of Repealed Material: [RESERVED]