

### § 203.11. Qualifications.

(a) Except as provided in subsection (b), persons who are to be employed as police officers by police departments within this Commonwealth from December 21, 1996, shall:

- (1) Be 18 years of age or older.
- (2) Possess a high school diploma or GED Equivalency.
- (3) Be citizens of the United States.
- (4) Be free from convictions of disqualifying criminal offenses.

(5) Be able to read at no less than the ninth grade level, as established through the administration of the Nelson-Denny Reading Test.

(6) Be personally examined by a physician, physician's assistant, or certified nurse practitioner who is licensed in this Commonwealth. The examination must include the following:

(i) Applicants shall be free from the addictive or excessive use of either alcohol or drugs which shall be determined using current laboratory testing procedures.

(ii) Applicants shall be free from the use of illegal controlled substances which shall be determined using current laboratory testing procedures.

(iii) Applicants physical condition shall be such that applicants could reasonably be expected to withstand significant cardiovascular stress.

(iv) Applicants shall be free from any debilitating conditions such as tremor, incoordination, convulsion, fainting episodes or other neurological conditions which may affect the applicants' ability to perform as police officers.

(v) Applicants shall have visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. In addition, the applicant shall have normal depth and color perception and be free of any other significant visual abnormality.

*(Editor's Note: Subparagraph (v) is suspended pending resolution of a lawsuit filed against the Pennsylvania State Police (Wilson v. Pennsylvania State Police, et al. No. 94-6547 U. S. District Court—Eastern District of Pennsylvania. See 28 Pa.B. 2924 (June 27, 1998).)*

(vi) Applicants shall have audio acuity sufficient to distinguish a normal whisper at a distance of 15 feet. The test shall be independently conducted for each ear while the tested ear is facing away from the speaker and the other ear is firmly covered with the palm of the hand. The applicant may not use a hearing aid or other aid to perform the test. If the applicant fails this test, the applicant shall be required to take and pass a decibel audio test.

(vii) Applicants may not be missing any extremities, including digits, which would prevent performance of required police duties or meeting minimum training requirements.

(viii) Applicants shall be free from any other significant physical limitations or disabilities which would, in the physician's opinion, impair the applicant's ability to perform the duties of a police officer or complete the required minimum training requirements.

(7) Be personally examined by a Pennsylvania licensed psychologist and found to be psychologically capable to exercise appropriate judgment or restraint in performing the duties of a police officer. The examination shall include the following elements:

(i) *Interview and history.* The psychologist shall personally interview the applicant. The interview shall include a summary of the applicant's personal, educational, employment and criminal history.

(ii) *Required psychological test.* Applicants shall be administered a current standard form of the Minnesota Multiphasic Personality Inventory (MMPI).

(iii) *Other testing methods.* If the licensed psychologist is unable to certify the applicant's psychological capability to exercise appropriate judgment and restraint to perform the duties of a police officer including the handling of a lethal weapon, the psychologist shall employ whatever other appropriate techniques to form a professional opinion of the applicant's ability. The use of these additional techniques requires a full and complete written explanation to the Commission on a form submitted by the psychologist to the Commission indicating what additional testing has been performed and the results of the tests.

(8) Be evaluated to determine physical fitness using the standards developed by the Cooper Institute for Aerobics Research in Dallas, Texas. Each applicant shall score no lower than the 30th percentile of the Cooper standards, which coincides with the 30th percentile of the general population, in each of the required evaluations to be eligible for employment. A person will not be enrolled in a recruit training program at a police academy certified by the Commission unless the person has obtained a score in the 30th percentile or higher for the person's age and gender as specified in the Cooper standards for each of the required evaluations. The required evaluations are as follows:

- (i) 1.5 mile run.
- (ii) 300 meter run.
- (iii) One repetition bench press.
- (iv) One minute sit ups.

(9) Certify whether they have taken a physical examination or psychological evaluation conducted in conjunction with an application for police employment within the previous year and the outcome of the examination or evaluation.

(10) Be subject to a thorough background investigation conducted by the applicant's employing police department. The investigation shall include the following:

(i) A criminal history check including the submission of fingerprints to the Central Repository for the Commonwealth and to the Federal Bureau of Investigation.

(ii) A check of the applicant's credit history.

(iii) Personal interviews conducted with at least 3 people that have personal knowledge of the applicant but are not related to the applicant.

(iv) Interviews of the applicant's employers, if any, for the past 5 years to determine the applicant's work history.

(v) A check of the applicant's driving record verifying that the applicant has a valid driver's license.

(11) Successfully complete a basic police training course given at a Commission-certified school or obtain a waiver of training as enumerated in § 203.12 (relating to waiver of training).

(i) Successful completion of a basic police training course shall be determined by the training school, based upon Commission standards.

(ii) To qualify for this certification, an applicant shall:

(A) Achieve a minimum qualifying firearms score of 75%.

(B) Receive certification for First Aid and CPR from the American Red Cross, the Department of Health, the American Heart Association or other agencies approved by the Department of Health.

(C) Comply with Commission and school rules and regulations.

(D) Pass the same certification exam administered to those seeking waiver of training as set forth in § 203.12(4).

(I) Applicants who are not employed as a police officer by a police department within this Commonwealth or do not have a conditional offer of that employment shall pay an examination fee equal to the actual cost of administering the test.

(II) Applicants who are employed as a police officer by a police department within this Commonwealth or have a conditional offer of that employment do not pay an examination fee.

(E) Attend 100% of all classes.

(I) Excused absences shall be mutually agreed upon by the police officer's department head and school director. School directors shall determine excused absences for applicants not employed as police officers.

(II) Excused absentees shall include personal illness or injury, illness in the immediate family requiring the applicant's attention or death in the immediate family.

(F) Complete the basic training course approved by the Commission with a minimum grade as established by the Commission. The Commission will publish a notice in the *Pennsylvania Bulletin* and in the Commission newsletter whenever the minimum grade on each tested area of examination changes.

(I) Applicants not achieving the minimum grade in any tested area shall repeat the failed training in that area before being eligible to take the examination in that tested area at a Commission-certified school. If the applicant fails to achieve the minimum grade on the applicant's second attempt, the applicant shall be required to successfully retake and pass the entire basic police training course to qualify for certification.

(II) Applicants not achieving the minimum grade in two separate tested areas during one basic police training course shall be required to retake and pass the entire basic police training course in order to qualify for certification.

(b) Subsection (a) does not apply to persons who meet one of the following conditions:

(1) Previously held valid certification issued by the Commission within 2 years prior to the date of employment on the application. Persons who received a certification prior to 1988 and who did not have a psychological evaluation shall obtain a psychological evaluation to obtain certification.

(2) Were sworn and full duty members honorably discharged from the Pennsylvania State Police within 2 years prior to the date of employment on the application for certification. A past member who enlisted in the Pennsylvania State Police prior to May 1998 and who did not have a psychological evaluation shall obtain a psychological evaluation to obtain certification.

#### **Authority**

The provisions of this § 203.11 amended under 53 Pa.C.S. § 2164(1), (8) and (14).

#### **Source**

The provisions of this § 203.11 amended October 12, 2001, effective October 13, 2001, 31 Pa.B. 5706; amended December 12, 2003, effective December 13, 2003, 33 Pa.B. 6046; amended September 22, 2006, effective September 23, 2006, 36 Pa.B. 5871; amended December 7, 2007, effective December 8, 2007, 37 Pa.B. 6401. Immediately preceding text appears at serial pages (322726) to (322730).

#### **Cross References**

This section cited in 37 Pa. Code § 203.15 (relating to application packet submission).

### **§ 203.12. Waiver of training.**

Applications for certification for which waivers of training are requested shall be submitted by the applicant's employing police department. An applicant for a waiver of training shall:

(1) Be employed as a police officer.

(2) Satisfy one of the following conditions:

(i) Successfully completed a Pennsylvania basic police training course approved by the Commission.

(ii) Previously was a Commission-certified police officer and left this position in good standing.

(iii) Previously was employed as a full-time police officer in this Commonwealth before June 18, 1974, who was not required to obtain certification from the Commission, and worked as a full-time police officer for at least 5 years.

(iv) Previously or currently employed as a full-time police officer of another state and met the certification standards of that state, provided that certification had been based on the completion of an approved basic police course comparable to that of the act.

(3) Undergo proficiency testing in the following three areas. Documentary proof of each qualification shall accompany the waiver of training application.

(i) *Firearms*. Applicants shall qualify on a police firearms course conducted by a certified police firearms instructor with the weapons the applicant will use in the performance of his police duties. The Commission will publish the requirements for a police firearms course in the Commission newsletter on an annual basis.

(ii) *First Aid/CPR*. Applicants shall have valid certification in first aid and adult, child and infant CPR, from the American Red Cross, the American Heart Association, the Department of Health or other agency approved by the Department of Health.

(iii) *Patrol vehicle operation*. Applicants shall successfully pass the patrol vehicle operation test required in the basic police training course at a certified school or by a certified instructor.

(4) Take a certification examination administered by the Commission at a location and time designated by the Commission. The schedule for the examinations may be obtained by writing the Commission office.

(i) The minimum passing score will be established by the Commission. The Commission will publish a notice in the *Pennsylvania Bulletin* and in the Commission newsletter whenever the minimum passing score.

(ii) An applicant for a waiver of training shall be permitted to take the certification examination a maximum of three times and only once in any day.

(iii) Applicants will not be certified without obtaining a passing score on the certification examination. Failure to pass the certification examination after three

attempts shall result in the applicant being required to take and pass the entire basic training course to qualify for certification.

(iv) Previously or currently employed as a full-time police officer of another state and met the certification standards of that state, provided that certification had been based on the completion of an approved basic police course comparable to that of the act.

#### **Authority**

The provisions of this § 203.12 amended under 53 Pa.C.S. § 2164(1), (8) and (14).

#### **Source**

The provisions of this § 203.12 amended December 12, 2003, effective December 13, 2003, 33 Pa.B. 6046; amended September 22, 2006, effective September 23, 2006, 36 Pa.B. 5871. Immediately preceding text appears at serial pages (301373) to (301375).

#### **Cross References**

This section cited in 37 Pa. Code § 203.11 (relating to qualifications).

### **§ 203.13. Certification as a municipal police officer.**

#### *(a) General.*

(1) The Commission will supply written verification to the applicant's employing police department upon the applicant's completion of the Commission's requirements for certification as a police officer.

(2) Verification shall be valid only in the department identified on the document provided by the applicant. Upon termination of employment in a department, certification for that department shall be void and shall be returned to the Commission by the department.

(3) If the certification document has been lost or destroyed, a notarized statement shall be provided to the Commission concerning the certification.

#### *(b) Initial certification.*

(1) Initial certification is valid for 2 years from the date of issuance. The document provided by the Commission shall contain the dates of issuance and expiration in addition to a certification number for identification purposes.

(2) Upon receipt of certification a police officer is authorized to enforce 18 Pa.C.S. (relating to the Crimes Code) and moving violations of 75 Pa.C.S. (relating to the Vehicle Code), and to carry a firearm.

#### *(c) Renewal of certification.*

(1) The Commission will issue a renewal certificate only to police officers who have satisfied the mandatory in-service training requirements set forth under § 203.52

(relating to mandatory in-service training courses). Mandatory in-service training schools shall provide written notice to the Commission of all police officers who have successfully completed the mandatory in-service training course.

- (2) Certification shall be renewed every 2 years.