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CHAPTER 259

DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

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RULES:

259-060-0025, 259-060-0060, 259-060-0136

AMEND: 259-060-0025

NOTICE FILED DATE: 08/22/2023

RULE SUMMARY: OAR 259-060-0025 defines the application process for a private security provider certification or license. Private security providers must submit proof of successful completion of required training when applying for a certification or license. These rule changes allow the Department to accept copies of the DPSST Form PS-6 and electronic submission of the form. These rule changes allow instructor applicants to submit other forms of documentation to show completion of instructor prerequisites by no longer limiting the proof to the submission of a resume.

CHANGES TO RULE:

259-060-0025

Application for Certification and Licensure ¶¶

(1) An applicant must meet all minimum standards for the certification or license being applied for as described in OAR 259-060-0020.¶¶

(2) Application Packet and Fees.¶¶

(a) The application packet for new certification or licensure as a private security provider must be completed in its entirety and must include:¶¶

(A) A completed Form PS-1;¶¶

(B) Fingerprints submitted to the Department on a standard applicant fingerprint card or through a Department approved vendor of electronic fingerprint capture services. The Department will supply pre-printed FBI fingerprint cards. If a fingerprint card is rejected twice by the Federal Bureau of Investigation, the applicant may be charged a fee for a third submittal of fingerprint cards;¶¶

(C) Proof of successful completion of the required training. Proof must be in the form of the original a completed Form PS-6 issued to the applicant by a certified private security instructor or a copy of the certificate of completion issued by the Department;¶¶

- (D) A completed Form PS-7 (optional);¶
- (E) If currently employed as an alarm monitor, unarmed or event and entertainment private security professional or an executive or supervisory manager, a completed Form PS-20;¶
- (F) All applicants for instructor certification must submit a resume proof demonstrating they meet the instructor prerequisites as described in OAR 259-060-0135; and¶
- (G) Nonrefundable certification or licensure fees as prescribed by OAR 259-060-0500.¶
- (b) The application packet for renewing certification or licensure as a private security provider must be completed in its entirety and must include:¶
- (A) A completed Form PS-21;¶
- (B) Proof of successful completion of the required training. Proof must be in the form of the original a completed Form PS-6 issued to the applicant by a certified private security instructor or a copy of the certificate of completion issued by the Department;¶
- (C) If renewing an instructor certification, a completed Form PS-8 with proof of completion or attendance for the reported continuing education. Proof can be in the form of a grade, certificate, transcript, minutes, attendance roster or training record. Other forms of proof may be accepted at the Department's discretion;¶
- (D) If currently employed as an alarm monitor, unarmed or event and entertainment private security professional or an executive or supervisory manager and submitting the renewal packet less than 30 days prior to the expiration of certification or licensure, a completed Form PS-20; and¶
- (E) Nonrefundable renewal certification or licensure fees as prescribed by OAR 259-060-0500.¶
- (c) The application packet for adding certification or licensure as a private security provider must be completed in its entirety and must include:¶
- (A) A completed Form PS-1;¶
- (B) Proof of successful completion of the required training. Proof must be in the form of the original a completed Form PS-6 issued to the applicant by a certified private security instructor or a copy of the certificate of completion issued by the Department;¶
- (C) If currently employed and adding certification or licensure as an alarm monitor, unarmed or event and entertainment private security professional or an executive or supervisory manager, a completed Form PS-20;¶
- (D) Nonrefundable certification or licensure fees as prescribed by OAR 259-060-0500;¶
- (E) Individuals applying to add private security instructor certification must submit a resume proof demonstrating they meet the instructor prerequisites as described in OAR 259-060-0135; and¶
- (F) Individuals currently certified as an unarmed private security professional applying to add armed private security professional certification must have in their possession a copy of the Form PS-6 and the Form PS-23 while performing the duties of an armed private security professional until a new certificate is received.¶
- (d) The application packet for upgrading from unarmed private security professional to an armed private security professional must be completed in its entirety and must include:¶
- (A) A completed Form PS-1;¶
- (B) Proof of successful completion of the required training. Proof must be in the form of the original a completed Form PS-6 issued to the applicant by a certified private security instructor or a copy of the certificate of completion issued by the Department;¶
- (C) Nonrefundable certification or licensure fees as prescribed by OAR 259-060-0500; and¶
- (D) Individuals currently certified as an unarmed private security professional applying to upgrade to armed private security professional certification must have in their possession a copy of the Form PS-6 and the Form PS-23 while performing the duties of an armed private security professional until a new certificate is received.¶
- (3) Timelines.¶
- (a) A completed application packet must be submitted electronically or mailed and postmarked to the Department prior to the applicant performing any private security services.¶
- (b) Renewal application documents must be received by the Department within 180 days prior to the expiration date of the certification or licensure to allow for processing of the forms and criminal history check.¶
- (c) A late submission penalty will be assessed as prescribed in OAR 259-060-0500 if reapplying after the expiration date of the certification or licensure.¶
- (d) Applicants renewing their certification or licensure more than four years after the expiration date of the certification or licensure must submit a new application packet in accordance with subsection (2)(a) of this rule.¶
- (4) The Department may administratively terminate the application process if the Department is unable to complete the certification process due to non-response or non-compliance, or upon the discovery of disqualifying criminal convictions or any violation of the temporary work permit provisions, the Act or these rules.¶
- (a) Once the application process has been administratively terminated, the applicant may not perform private security services.¶
- (b) To re-apply, applicants will be required to re-submit an application packet with all deficiencies corrected, including new fees and proof of valid training.¶

(5) A Notice of Deficiency will be issued to an applicant whose application packet is determined by the Department to be incomplete or insufficient. If the deficiency is not corrected within 21 days of the date of the Notice of Deficiency, the application process will be administratively terminated.¶

(6) Any exception to the application process found in this rule must be approved by the Department.¶

(7) An application may be withdrawn at any time prior to issuance or denial of the requested certification or license. Applicants who choose to withdraw their application forfeit their application fees.

Statutory/Other Authority: ORS 181A.870

Statutes/Other Implemented: ORS 181A.870

AMEND: 259-060-0060

NOTICE FILED DATE: 08/22/2023

RULE SUMMARY: OAR 259-060-0060 defines the minimum training standards for private security provider certifications and licenses. Private security providers must submit proof of successful completion of required training when applying for a certification or license. These rule changes allow the Department to accept copies of the DPSST Form PS-6 and electronic submission of the form.

CHANGES TO RULE:

259-060-0060

Minimum Standards for Training ¶¶

- (1) All private security courses and examinations will be based upon a curriculum approved by the Board.¶¶
- (2) All required training and testing must be conducted by a certified private security instructor or by a Department designee.¶¶
- (3) Notwithstanding section (4), all required firearms courses must be administered by a certified private security firearms instructor.¶¶
- (4) The Department or its designee will deliver the event and entertainment private security professional, private security instructor and manager courses.¶¶
- (5) All training must be delivered in English and assessments and written exams must be completed in English, without assistance.¶¶
- (6) The Department website will provide names of instructors who have requested on a Department-approved form that their names be available to applicants.¶¶
- (7) The applicant or private security provider must submit proof of successful completion of the training required as specified in these rules. Successful completion of the training must be documented by submitting the following proof of completion to the Department:¶¶
 - (a) ~~The original~~ A completed Form PS-6 issued to the applicant by a certified private security instructor. The Form PS-6 must be signed by the certified private security instructor who administered the course; or¶¶
 - (b) A ~~copy of the~~ certificate of completion issued by the Department.¶¶
- (8) To satisfy the training requirements for private security certification or licensure, training must be received and accepted by the Department within 180 days of the training being completed.¶¶
- (9) Private Security Course Descriptions.¶¶
 - (a) Basic Classroom Instruction. Basic classroom consists of live classroom instruction which may include use of a subject matter expert, audio and visual instruction. Instructors must provide individuals with a manual of the basic curriculum. Applicants must complete a closed-book written examination.¶¶
 - (b) Assessments. Assessments are hands-on, practical exercises given to private security professionals that will reinforce the knowledge and techniques presented during classroom instruction. Assessments consist of evaluations and include, but are not limited to, scenarios requiring application of task-related skills learned in the basic classroom instruction.¶¶
 - (c) Event and Entertainment Private Security Professional Basic Course. The Event and Entertainment Private Security Professional Basic Course provides basic private security training to private security professionals who are providing private security services solely for event or entertainment businesses or venues. This is a standalone course and does not replace the unarmed private security professional basic course.¶¶
 - (A) The Event and Entertainment Private Security Professional Basic Course is based on curriculum approved by the Board on January 23, 2020.¶¶
 - (B) The Event and Entertainment Private Security Professional Basic Course consists of online training and a final exam.¶¶
 - (C) Students must achieve a passing score of 100% on the final exam, with remediation.¶¶
 - (D) The Event and Entertainment Private Security Professional Basic Course is administered by the Department and delivered online.¶¶
 - (d) Basic Firearms Course. Basic Firearms course must include:¶¶
 - (A) A minimum of 24 hours of instruction and an open-book written examination covering firearms instruction materials;¶¶
 - (B) A safe gun handling test; and¶¶
 - (C) A marksmanship qualification using firearms qualification standards and targets.¶¶
 - (e) Alarm Monitor Private Security Instructor Course. The alarm monitor private security instructor course teaches alarm monitor professional curriculum, instructing techniques and Department policies and procedures.

The course includes classroom instruction, assessments and a written examination. ¶

(f) Unarmed Private Security Instructor Development Course. The unarmed private security instructor development course teaches unarmed professional curriculum, instructing techniques and Department policies and procedures. The course includes classroom instruction, assessments and a written examination. ¶

(g) Private Security Firearms Instructor Course. The private security firearms instructor course teaches armed professional curriculum instruction, instructing techniques, practical application and Department policies and procedures. The course includes classroom instruction, marksmanship qualification, safe handgun handling and a written examination. ¶

(h) Manager Course. The manager course trains on Department policies and procedures. The course includes classroom instruction, assessments and a written examination. ¶

(i) Firearms Marksmanship Qualification and Armed Refresher Course includes an annual firearms marksmanship qualification, the annual armed 4-hour classroom refresher course, a safe gun handling test and closed-book written examination. ¶

(j) Biennial Renewal Training includes a four-hour biennial renewal course related to the current level of certification and in accordance with OAR 259-060-0120, 259-060-0130, and 259-060-0135. ¶

(k) Private Security Firearms Instructor Marksmanship Qualification includes an annual firearms marksmanship qualification. ¶

(l) Unarmed Private Security Instructor Refresher Course includes an unarmed instructor refresher update and an examination. ¶

(m) Event and Entertainment Private Security Professional Refresher Course. The Event and Entertainment Private Security Professional Refresher Course provides refresher training for event and entertainment private security professionals to renew certification. This is a standalone course and does not replace the unarmed private security professional biennial renewal course. ¶

(A) The Event and Entertainment Private Security Professional Refresher Course is based on curriculum approved by the Board on January 23, 2020. ¶

(B) The Event and Entertainment Private Security Professional Refresher Course consists of online training and a final exam. ¶

(C) Students must achieve a passing score of 100% on the final exam, with remediation. ¶

(D) The Event and Entertainment Private Security Professional Refresher Course is administered by the Department and delivered online. ¶

(10) Applicants must achieve a score of 100 percent on all examinations and assessments with remediation in accordance with OAR 259-060-0136(7). ¶

(11) If a certified armed private security professional or a certified private security firearms instructor fails a firearms qualification or training course, the armed private security professional or private security firearms instructor certifications issued to that person are subject to emergency suspension and refusal to renew under OAR 259-060-0120 and OAR 259-060-0135. Firearms qualifications and training courses include the basic firearms course, the firearms marksmanship qualification and armed refresher course, the private security firearms instructor marksmanship qualification, and the private security firearms instructor course. ¶

(12) All individuals who have previously been certified or licensed by the Department as a private security provider who have not held certification or licensure for over four years must complete the appropriate basic training in its entirety.

Statutory/Other Authority: ORS 181A.870

Statutes/Other Implemented: ORS 181A.870

RULE SUMMARY: OAR 259-060-0136 defines private security instructor responsibilities. Private security providers must submit proof of successful completion of required training when applying for a certification or license. These rule changes allow the Department to accept copies of the DPSST Form PS-6 and electronic submission of the form.

CHANGES TO RULE:

259-060-0136

Private Security Instructor Responsibilities

- (1) The Department certifies private security instructors to provide instruction to private security providers or applicants. This rule defines the duties and expectations of a certified private security instructor.¶
- (2) Certification as a private security instructor authorizes the instructor to deliver private security professional courses that have been approved by the Board or accredited by the Department to satisfy the training requirements defined in OAR 259-060-0060. ¶
- (3) A private security instructor must:¶
 - (a) Be certified as an alarm monitor private security instructor in order to instruct the alarm monitor basic course and the alarm monitor renewal course.¶
 - (b) Be certified as an unarmed private security instructor in order to instruct the unarmed basic course or the unarmed renewal course.¶
 - (c) Be certified as a private security firearms instructor in order to instruct the basic firearms course, the armed refresher course, and the annual firearms marksmanship requalification and refresher course.¶
- (4) Certified private security instructors are required to satisfy the following responsibilities through their role as an instructor:¶
 - (a) Deliver the Board approved or Department accredited course curriculum in its entirety;¶
 - (b) Met or exceed the minimum number of training hours required for the delivery of the course;¶
 - (c) Provide or use training facilities that provide a safe environment that is conducive to learning;¶
 - (d) Provide each student with a current copy of the appropriate training manuals for the student to retain upon completion of the course; ¶
 - (e) Deliver course curriculum in English and administer assessments and written exams in English without assistance;¶
 - (f) Remediate or fail students in accordance with section (7) of this rule;¶
 - (g) Confirm the identity of each student by viewing a valid government issued picture ID;¶
 - (h) Maintain confidentiality of student information in accordance with state and federal laws;¶
 - (i) Maintain training records in accordance with section (8) of this rule;¶
 - (j) Offer a contract to each student, or to the employer, business or entity, when the training is being provided as a fee based service. The contract must identify what services are being provided and identify the fees for those services. Instructors who are providing training for their employer, or who are not receiving a fee for service to provide training services, are exempt from the requirement to offer a contract;¶
 - (k) Provide and maintain a professional and respectful learning environment; and¶
 - (L) Comply with the statutory and administrative rules that govern private security providers. ¶
- (5) Certified private security instructors are prohibited from:¶
 - (a) Signing a Form PS-6 for training that they did not deliver;¶
 - (b) Using the DPSST logo without authorization on any materials, advertising, websites or clothing that has not been provided and authorized by the Department; and¶
 - (c) Making bias, false, malicious, negative or disparaging comments about students, colleagues, curriculum or the Department during the delivery of private security courses or at times when actively engaged in the role of a certified private security instructor.¶
- (6) Instructors may terminate training if, in the instructor's opinion, the student is unfit to proceed, taking into consideration the student's poor judgment, unsafe practices, abnormal behavior or other relevant factors. The instructor must immediately notify the student of the reason for termination of training and must also notify the Department within 48 hours in writing, using a Form PS-6. ¶
- (7) Student Remediation/Failure. When a student fails to successfully complete any portion of the required training the instructor must remediate or fail the student as follows: ¶
 - (a) If a test score is between 85 and 99 percent, the instructor must remediate the incorrect test responses by reviewing each incorrect test question with the student, explaining the principle behind the question, the correct answer, and the basis for the correct answer. The instructor must assess whether oral responses from the student indicate that the student understands the underlying principles. An inappropriate answer may result in the

termination of training and indication on the training affidavit that the student has failed to successfully complete the required training. ¶

(b) If a test score is below 85 percent correct, the instructor must fail the student or require the student repeat the deficient section missed of the curriculum and retake the exam. ¶

(c) The instructor may remediate and re-test a student who fails to score 100% on the firearms marksmanship qualification course. Students must qualify within three attempts in one day. ¶

(d) A student who is unable to successfully achieve a training standard must be failed. Any instructor who fails a student must: ¶

(A) Fully document the reason for failure; ¶

(B) Retain documentation of failure in the instructor's file for a minimum period of two years; and ¶

(C) Notify the Department within 48 hours of the failure by submitting a completed Form PS-6 indicating that an individual has failed. ¶

(8) Training Records. ¶

(a) Instructors must maintain the following documents in separate class files for a period of two years: ¶

(A) A completed Form PS-6 for each student; ¶

(B) All written exams, assessments and any applicable qualification records; ¶

(C) A training outline for the curriculum used, including any references to any resources used; and ¶

(D) A class roster, including the name and address of each student. ¶

(b) Upon successful completion of all requirements, the instructor must provide the student with ~~the accurately-completed, original Form PS-6. The instructor will also supply the student with a colored carbon copy of the Form PS-6.~~ a completed Form PS-6. ¶

(c) Instructors will provide additional copies of the Form PS-6 to students at any time during the life of their training at reasonable expense to the student. ¶

(9) Remote Training by a Certified Private Security Instructor. ¶

(a) "Remote training" means training that is delivered using a combination of a virtual meeting platform and a learning management system to allow the students and the instructor to interact with one another using video and audio connections and participate in training, assessments, and examinations. ¶

(b) Certified private security instructors may request authorization to provide remote training by submitting a written request and a remote training delivery plan to the Department. ¶

(c) If the request is approved, the Department will provide the instructor with a written authorization to provide remote training. The Department's written authorization will include the expiration date of the authorization period. ¶

(d) An instructor must have the Department's written authorization before providing remote training. ¶

(e) Instructors are required to notify the Department when there are changes to the approved remote training delivery plan. ¶

(f) When providing remote training, instructors must ensure their students have use of interactive video and audio connections to participate in and complete the training. ¶

(g) The Department may terminate an instructor's authorization for remote training for any violation of the Act or these administrative rules or a failure to comply with the terms of the authorization. Notice of termination will be provided in writing. ¶

(h) Instructors are prohibited from providing remote training if the authorization expires or is terminated, or if their private security instructor certification expires or is denied, suspended, or revoked. ¶

(i) DPSST armed courses are not eligible for remote training. ¶

(10) Failure to comply with any of the responsibilities as prescribed by this rule may result in denial or revocation of private security certification or licensure as prescribed in OAR 259-060-0300, OAR 259-060-0310 and OAR 259-060-0320, and civil penalties as prescribed in OAR 259-060-0450.

Statutory/Other Authority: ORS 181A.870

Statutes/Other Implemented: ORS 181A.870, ORS 181A.840, ORS 181A.850