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CHAPTER 259

DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

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FILING CAPTION: Providing Remote Training for Unarmed and Alarm Monitor Private Security Courses

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RULE SUMMARY: This rule change codifies provisions for a certified private security instructor to deliver the unarmed or alarm monitor private security courses using remote training.

During the COVID-19 pandemic, DPSST initiated a process for certified unarmed private security instructors and alarm monitor private security instructors to deliver the basic and refresher courses remotely. DPSST recognizes the continued benefits of remote training. The newly added section (9) defines remote training for interpretation of the rule, requires DPSST authorization for remote training, includes provisions for the expiration of the authorization, and excludes armed courses from the remote training opportunities. There are no fees to request an authorization to provide remote training. Instructors are not required to provide remote training.

Instructors who want to provide remote training are required to submit a delivery plan to DPSST for review. Instructors must receive authorization from DPSST prior to delivering DPSST courses through remote training. The delivery plan must:

- Identify the virtual meeting platform and the learning management system the instructor will use to deliver interactive training. The resources used must allow the instructor and students to have an interactive visual and audio connection with each other.
- Explain how the instructor will review class work, assessments, and exams.
- Explain how the instructor will administer the exam and maintain the integrity of the testing process.
- Explain how the instructor will conduct course and exam remediation.

Instructors must submit the original copy of the PS-6 training affidavits to DPSST. To address the student signature requirements of the PS-6, the instructor will collect the student's sworn statement affirmation from the student via email. The instructor will need to print and attach the student's sworn statement to the completed PS-6 and submit both documents together to DPSST for processing.

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 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 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. ¶
- (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. ¶
- [ED. NOTE: Forms referenced are available from the agency.]
- Statutory/Other Authority: ORS 181A.870
- Statutes/Other Implemented: ORS 181A.870, ORS 181A.840, ORS 181A.850