

### **Rule 3 – Director’s Authority**

*Effective November 1, 2022*

- a) The Director’s authority shall include:
- (I) Making the initial determination as to whether an applicant has met the requirements to sit for the certification examination, or to be certified;
  - (II) Approving or disapproving program applications;
  - (III) Issuing remedial action and compliance orders for non-compliance with POST rule;
  - (IV) Determining the equivalency of first aid and cardiopulmonary resuscitation training;
  - (V) At the Director’s discretion, selecting qualified evaluators to administer the skills examinations described in Rule 16;
  - (VI) Determining the merit of challenges relating to the administration of examinations pursuant to Rules 15 and 16;
  - (VII) Determining the merits of variance requests, consistent with the basic purposes and policies of § 24-31-301, et seq., C.R.S., and of the Board, in accordance with Rule 7 and Rule 8;
  - (VIII) The Director, or their designee, may approve eyewitness identification training per § 16-1-109, C.R.S., or other statutorily mandated training on behalf of the POST Board.
  - (IX) Discharging such other powers or duties as the Board or the Attorney General may direct.
    - (A) Issuing summary suspensions in situations where the board has delegated authority to the director, including:
      - 1) Where a certificate holder has failed to meet in-service training requirements;
      - 2) Where a specific law enforcement training academy class was found to be substantially deficient, such that the certificate holders of that class would pose a danger to the public health, safety and welfare.

- b) If any action or determination made by the Director pursuant to this rule is not appealed by the applicant within thirty (30) days as provided in Rule 5(c), the Director's action or determination shall become final agency action.