CHAPTER 93-02-04
ARMED FIRST RESPONDER IN SCHOOL OR AMBULANCE OR FIREFIGHTER CREW TRAINING PROGRAM

Section
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93-02-04-01. Certified training course application.

The following procedures apply to all training courses for which certification is requested by the board:

1. An instructor or agency seeking course certification shall submit an application to conduct a training course and certification to the board on a form provided by the board.

2. All application forms must be submitted to the board at least ninety days before training commences.

3. Each application must include the following:

   a. A course description showing the title of the course, the name of the person or agency preparing the training course, the course objective, testing methods if applicable, course content, estimated length of course, and references;

   b. Payment to the board of any fees established for certification of the course and instructors.

4. The training course must consist of at least eighty hours of training and must include the following curriculum and subject areas:

   a. Firearms proficiency, including fulfillment of the equivalent requirements for firearm training as is required for North Dakota peace officers;

   b. Use of force and deadly force;

   c. Application of North Dakota law;

   d. Legal aspects;

   e. Defensive tactics and weapons retention;

   f. Weapons storage;

   g. Concealed carry of firearms tactics;

   h. Protocol for identifying armed first responder in school or ambulance or firefighter crew;

   i. Solo and team tactics;

   j. Mind set; and

   k. Active threat overview.

5. All certified courses are subject to periodic review by the board.

6. Certified instructors shall notify the board, in writing at least thirty days before the commencement of any certified course, the course dates and curriculum and permit the board to monitor course content and instructor development.

7. A certified instructor shall complete rosters for all courses on a form approved by the board. All rosters must be submitted to the board within fifteen days of completion of the course.

8. Upon approval by the board, instructors and agencies shall receive a letter of course approval. Any change to the certified course curriculum or instructors must require submission of a new application and recertification from the board.

History: Effective October 1, 2022.
General Authority: NDCC 62.1-02-14(7)
Law Implemented: NDCC 62.1-02-14(7)

93-02-04-02. Approved basic training instructors.

The board shall certify instructors for the North Dakota armed first responder in school or ambulance or firefighter crew training course and shall approve all course topics and curriculum prior to instruction. Instructors must meet the following requirements:

1. Instructors shall possess education, training, and experience in the assigned subject area of instruction, and shall possess board-instructor certifications or North Dakota peace officer standards and training board instructor certifications or specialized academic preparation in the course subject areas.

2. Instructors shall submit to a criminal history records search in state and federal databases and shall provide a copy of the instructor-applicant's fingerprints. Instructors shall pay the fees associated with the searches directly to the board.

3. Instructors shall meet the same requirements for individuals providing private security services found in section 93-02-02.1-01.

4. Instructors shall pay any annual licensing fee set by the board.

5. Instructors shall maintain course records for a period of no less than three years after the date of the completion of the course.

History: Effective October 1, 2022.
General Authority: NDCC 62.1-02-14(7)
Law Implemented: NDCC 62.1-02-14(7)

93-02-04-03. Surety requirements.

1. Before a course certification to provide armed first responder in schools or ambulance or firefighter crew training can be issued to any individual or agency, the individual or agency shall file with the board a certificate of insurance executed by the applicant and by an insurance company in the sum of three hundred thousand dollars of general liability with errors and omissions insurance.

2. The certificate of insurance must be conditioned on the faithful and honest conduct of the business of the applicant and the applicant's agents, employees, and independent contractors, and for the full protection of any person who deals with the applicant or the applicant's agents, employees, and independent contractors.

3. The certificate of insurance must provide that any person injured by the breach of the conditions of the insurance policy may bring an action on that insurance policy in the name of

the state of North Dakota for the use of the person so injured to recover legal damages suffered by reason of breach of the conditions; provided, however, that the aggregate liability of the insurance policy for all damages may, in no event, exceed the sum of the insurance policy. The insurance underwriter may cancel the policy upon giving thirty days' notice in writing to the board and thereafter is relieved of liability for any breach of condition occurring after the effective date of the cancellation.

4. The surety requirements in this section do not apply to instructors employed with a North Dakota public entity, or agencies that are a public entity in North Dakota while performing the duties of that entity.

History: Effective October 1, 2022.
General Authority: NDCC 62.1-02-14(7)
Law Implemented: NDCC 62.1-02-14(7)

93-02-04-04. Successful completion of training course.

Before any student attends a board-certified course the instructors shall ensure any students have met the following requirements under subsection 8 of North Dakota Century Code section 62.1-02-14 or paragraphs 1 and 2 of subdivision b of subsection 2 of North Dakota Century Code section 62.1-02-05. To successfully complete the North Dakota armed first responder in school or ambulance or firefighter crew training course, applicants must receive a passing score on all written and skills examinations administered by approved instructors or agencies in connection with the course. Instructors shall, before the commencement of the training course, notify applicants of the level of performance that constitutes a passing score for each examination. Upon successful completion of a board-certified course, the instructor or agency, or both, shall issue a certificate of completion to each student and submit a copy of each certificate of completion along with the required roster to the board within fifteen days.

History: Effective October 1, 2022.
General Authority: NDCC 62.1-02-14(7)
Law Implemented: NDCC 62.1-02-14(7)

93-02-04-05. Application and course certification fees.

1. The initial application fee for a certified course, along with instructors is four hundred dollars. Once a course is certified by the board the certification is valid for two years, expiring on September thirtieth of each calendar year.

2. Recertification of a certified course and instructors after the two year period is three hundred dollars, and is then valid for an additional two years.

3. Once a course is certified, any changes to the course or instructors requires a new application and fees.

History: Effective October 1, 2022.
General Authority: NDCC 62.1-02-14(7)
Law Implemented: NDCC 62.1-02-14(7)