

RULE 3¹

QUALIFICATIONS FOR APPLICATION AND ORIGINAL APPOINTMENT

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RULE 3 QUALIFICATIONS FOR APPLICATION AND ORIGINAL APPOINTMENT1

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¹ **Editor’s Note:** The Table of Contents, Dates of Adoption and Amendment, Footnotes and Attachments are annotations only and are not deemed to be part of the formal rule.

² **Editor’s Note:** The Table of Contents was first added as an annotation on June 30, 2005.

Section 1. Qualifications for Application and Original Appointment.

(Adopted April 15, 2011) (Amended December 19, 2014)

A. At the time of application and appointment to the Classified Service, an individual shall meet the qualifications established by the Charter of the City and County of Denver and the rules of the Civil Service Commission. In addition to a determination that an applicant³ meets these minimum qualifications, the screening and examination of applicants shall provide for the selection of those applicants determined to be the best qualified and most suitable for appointment to the Classified Service.

(Adopted April 15, 2011)

B. As provided by Charter and/or Commission Rule:

(Adopted April 15, 2011)

1. Every applicant for original appointment shall also be subject to the examination, screening, and other requirements established by the Commission;
2. The qualifications of any applicant, including the character and background, shall be subject to review by the Commission;
3. Each applicant shall be approved by the Commissioners prior to placement on an eligible register, and such approval may be subject to background updates after placement on an eligible register; and
4. Any original appointment to the Classified Service shall be made by the Executive Director of Safety⁴ (and when applicable, with the approval by the Chief of the Department).

(Amended December 19, 2014)

C. Automatic Disqualification and Notice of Reason(s): Any applicant who fails to meet the minimum qualifications established in this Rule 3 §§ 2-8 shall be automatically disqualified from further consideration. Any applicant subject to such automatic disqualification will be notified of the reason(s) for disqualification.

(Adopted October 27, 2000)

*(Amended February 1, 2006; April 15, 2011; December 19, 2014)*⁵

³ **Definition Note:** As used in this Rule 3, the word “applicant” shall indicate an individual participating in the application, examination, screening, certification and/or appointment process for original appointment.

⁴ **Editor’s Note:** Formerly titled “Manager of Safety”.

⁵ **Editor’s Note:** New subsection title added 4/15/11. These provisions were previously in Section 1(B), *Minimum Qualifications*, of the 2000 and 2006 versions. The amendments of 2014 delete the reference to any provisions for an *Exemption from Automatic Disqualification for Behavior Prior to Age 18 and Occurring at Least 60 Months Prior to Date of Application*. That prior Section 7, initially adopted 02/01/2006, has been deleted from this Rule through the amendments of 12/19/2014.

Section 2. Citizenship and Residency.

(Amended April 15, 2011)

- A. Citizenship:** Applicants for original appointment to the Classified Service shall be citizens of the United States at the time of application.⁶
(Amended April 15, 2011)
- B. Proof of United States Citizenship:** Acceptable proof of United States citizenship shall include a birth certificate from within the United States, naturalization papers, a United States passport, or a Certificate of Live Birth Abroad of a United States Citizen.
*(Adopted March 27, 1998)*⁷
- C. Colorado Residency:**⁸ Applicants for original appointment to the Classified Service shall be bona fide residents of the State of Colorado at the time of appointment,⁹ and must maintain any statutory residency requirements.¹⁰
(Amended October 27, 2000; April 15, 2011)

Section 3. Age.

- A. Fire Department – Age 21:** Effective November 1, 2015, applicants for original appointment to the Fire Department must have reached twenty-one (21) years of age on or before the day of application. Prior to November 1, 2015, applicants must have reached eighteen (18) years of age on or before the day of application. *(Amended September 6, 1986; November 15, 1989; October 27, 2000; April 15, 2011; December 19, 2014)*
- B. Police Department – Age 21:** Applicants for original appointment as a Police Officer must have reached twenty-one (21) years of age on or before the day of application.
(Amended July 2, 1990; March 27, 1998; October 27, 2000; April 15, 2011)
- C. Proof of Age:** Acceptable proof of age shall include a birth certificate, passport, baptismal record (if it designates date of birth), or naturalization papers.
*(Adopted March 27, 1998)*¹¹

⁶ **Charter Note:** Required by Charter § 9.4.1.

⁷ **Editor’s Note:** Incorporates provisions from prior § 8(B) of the 2000 and 2006 versions of Rule 3 concerning *Documentation to Verify Minimum Qualifications – Proof of United States citizenship*.

⁸ **Editor’s Note:** Charter § C5.12 was amended in the election of Nov. 3, 1998, to permit residency in the six county Denver metro area. In the election of Nov. 6, 2001 Charter § C5.12 et seq. was repealed and as a result all Charter related county residency restrictions under prior Rule 3 § 2(B) and 2(C) were eliminated.

⁹ **Editor’s Note:** An “appointment” to the Classified Service is effective the first day of actual employment in the position. See Rule 1, “Appointment” and “Resident-Bona Fide”.

¹⁰ **Editor’s Note:** There is a State statutory general requirement of Colorado residency for Peace Officer certification (CRS 29-5-101).

¹¹ **Editor’s Note:** Previously contained in Section 8(A), *Documentation to Verify Minimum Qualifications*, of the 2000 and 2006 versions of Rule 3.

Section 4. Education.

A. High School Education: All applicants for original appointment to the Fire or Police Departments shall have a high school diploma or a general equivalency diploma (GED certificate) on or before the day of application.

(Amended November 15, 1989; March 27, 1998; October 27, 2000; April 15, 2011)

B. Technical or Special Qualifications: For a position requiring technical, professional, or scientific knowledge and experience, or special qualifications, the Commission shall also require such certificate of competence, diploma, or license, as required by law, examination announcement or Commission rule.

(Amended October 27, 2000; April 15, 2011)

C. Proof of Educational Attainment:

(Adopted April 15, 2011)

1. Acceptable proof of a high school diploma or its equivalent shall include a high school diploma, a GED certificate, a certified high school transcript bearing the official school seal and showing graduation date, or a letter from the school on the school's stationery that verifies graduation date.¹²

(Adopted March 27, 1998) (Amended April 15, 2011)

a. Police Officer Applicants: Any Police Officer applicant who has received a high school diploma or GED certificate but is unable to obtain and provide "acceptable proof" shall be required to obtain a written waiver of the high school diploma or GED certificate requirements from the Colorado Peace Officer Standards and Training (POST) Board.

(Adopted April 15, 2011)

b. Fire Department Applicants: Any Fire Department applicant who has received a high school diploma or GED certificate but is unable to obtain and provide "acceptable proof" may request a waiver from the Commission, or their designee, if they provide acceptable proof of an Associates or higher level degree that supports a determination that they possess a level of general education at least equivalent to the high school level.

(Adopted April 15, 2011)

2. Credit for home schooling at the high school level shall not be accepted without a high school diploma or GED certificate. If the high school diploma is issued by the applicant's parent:

(Adopted April 15, 2011)

a. The applicant will be required to provide supporting documentation to verify that the home schooling program met State requirements; and

¹² **Editor's Note:** Incorporated from § 8(C) of the 2006 version of Rule 3.

- b. An applicant for Police Officer shall also provide written verification from the POST Board that the home school diploma, with supporting documentation, is acceptable to the POST Board for the purpose of peace officer certification.
3. Acceptable proof of post-secondary educational attainment shall include a diploma or certificate; a certified technical school, college or university transcript bearing the official school seal, showing the date of award of the degree or diploma or certificate; or a letter from the school on the school's stationery which verifies the diploma, certificate, or degree awarded and the date.
(Adopted April 15, 2011)
4. The Commission reserves the right to reject any proof of educational attainment based on an evaluation of supporting documentation and the credentials or accreditation (or lack thereof) of the educational institution awarding the diploma, certificate, or degree.
(Adopted April 15, 2011)

Section 5. Driver's License.

Applicants for original appointment must possess a valid automobile driver's license at the time of application and up to the date of appointment, and must maintain any licensing requirements of the respective department.

(Adopted March 27, 1998) (Amended April 15, 2011; December 19, 2014)

Section 6. Character and Background.¹³

A. To be eligible for original appointment to a position in the Classified Service, an applicant shall be of good moral character as required by Charter § 9.4.1. In reviewing an applicant's character and background, the Commission will consider the standards of ethical conduct, integrity and honesty that shall guide the behavior of a member of the respective Department.

(Amended October 13, 1995; October 27, 2000; April 15, 2011)

B. Automatic Disqualification:

1. An applicant shall be subject to automatic disqualification for any failure to meet the minimum qualifications related to character and background as provided below in this Rule 3 § 6(E-K).

(Adopted April 15, 2011) (Amended December 19, 2014)

¹³ **Editor's Note:** Section 1 prior to October, 2000. The amendments of October 27, 2000 involved a substantial revision of Rule 3 concerning the Character and Background related qualifications for Original Appointment, including the establishment of specific disqualifying criteria. The sections regarding particular misdemeanor disqualifiers and case by case consideration were newly adopted and gave consideration to the recommendations of the six-member Mayor's Civil Service Commission Review Panel (*Blue Ribbon Panel*), as contained in the final report of August 1, 2000.

2. With regard to any minimum qualifications concerning any felony offense, or certain misdemeanor or traffic offenses, as provided in this Rule 3 § 6, the phrase “*conviction of*” shall apply not only to any offense that has been the subject of a criminal or traffic court proceeding, but also to:

(Adopted April 15, 2011) (Amended December 19, 2014)

- a. Any juvenile offense adjudicated in a juvenile court when the offense would be classified as a felony or misdemeanor if committed by an adult; and
- b. Any juvenile offense when the juvenile was charged as an adult.

C. Case by Case Consideration: Excluding the minimum qualifications established in this Rule 3 § 6(E-K) below, in determining whether an applicant’s *character and background* shall disqualify the applicant from further consideration in any *Preliminary File Review* or final *Background Review* process, the Commission, or their designee, shall consider the information available in the applicant’s file on a case by case basis. This shall include any information that has been provided by the applicant in writing, prior to the review, to further explain or clarify their qualifications and any matters that the applicant believes may be a character or background issue.

(Adopted October 27, 2000) (Amended February 1, 2006; April 15, 2011; December 19, 2014)

1. Applicants who possess the minimum qualifications established by the Commission will be allowed to apply and test. Should the Commission determine that an applicant is not suitable for employment, the applicant will be denied the opportunity for examination.
2. If the applicant has previously applied for any Civil Service position and was disqualified for failing the Job Suitability Assessment, the applicant remains unsuitable for one (1) year from the date of failing. If the applicant fails at Preliminary File Review or Deliberative Review, the applicant remains unsuitable for two (2) years from the date they failed as determined by the Commission. Additionally, if the applicant fails at Deliberative Review, the applicant will be denied further consideration for any Denver Fire or Police classified positions for a two (2) year period. Omission or falsification by an applicant may be subject to permanent disqualification.

D. Expunged Adult Criminal or Juvenile Court Records and Sealed Juvenile Court Records: Adult criminal or juvenile court records which have been expunged by an order of the Court, and juvenile court records which have been sealed by an order of the Court, will not be considered by the Commission for the purpose of evaluating the *Character and Background* of an applicant under this Rule 3 § 6.

(Adopted December 19, 2014)

E. No Legal Impediments: To be eligible for application and for original appointment to a position in the Classified Service, an individual:

1. Shall not have any legal impediments to their ability to perform the essential job functions of the position for which application is made;
2. Shall have completed all court orders associated with any criminal conviction or plea;
3. Shall not be subject to a current or active deferred sentence, deferred judgment or deferred prosecution related to any criminal charge; nor be currently subject to any court order or stipulation in connection therewith; and
4. Shall not be incarcerated, on work release, on parole or on probation for any crime.

(Adopted April 15, 2011) ¹⁴ *(Amended December 19, 2014)*

F. No Felony Offenses under any Federal or State Law: To be eligible for application and for original appointment to a position in the Classified Service, an individual shall not have any conviction of a **felony offense during the individual's lifetime.**

*[Amended: October 27, 2000 as § 1(B)(1); April 15, 2011; December 19, 2014]*¹⁵

G. Certain Misdemeanor Offenses under any Federal, State, or Local Law: To be eligible for application and for original appointment to a position in the Classified Service, an individual shall not have any of the noted misdemeanor offenses under the circumstances and time periods as specified below in this Subsection 6(G) (1-5).

(Adopted April 15, 2011) (Amended December 19, 2014)

1. An individual shall not have any conviction of a **misdemeanor offense, during the individual's lifetime, involving any of the behaviors or offenses listed below:**
[Adopted October 27, 2000 as § 1(B)(4-7)] (Amended April 15, 2011; December 19, 2014)

- a. Domestic violence; *(Adopted October 27, 2000)*
- b. Assault, menacing, or stalking; *(Adopted April 15, 2011)*
- c. Sexual assault, unlawful sexual contact, or an offense that would require registration as a sex offender under Colorado law;
(Adopted October 27, 2000) (Amended April 15, 2011)
- d. Any offense based on unlawful sexual behavior not included above under Rule 3 § 6(G)(2)(c); *(Adopted April 15, 2011) (Amended December 19, 2014)*
- e. An offense of child abuse (including child neglect) resulting in any injury to the child or to the child's health;
(Adopted October 27, 2000) (Amended April 15, 2011)
- f. Harassment; *(Adopted April 15, 2011; Amended December 19, 2014)*

¹⁴ **Editor's Note:** This subsection incorporates some provisions from Section 1(B), *Minimum Qualifications*, that was adopted on October 27, 2000 and maintained in the 2006 version.

¹⁵ **Editor's Note:** This subsection F incorporates provisions from Section 1(B)(1) of the Amendments to Rule 3 of October 27, 2000.

- g. Any bias-motivated crime including harassment or intimidation of a person or group **because of** that person’s or group’s actual or perceived race, color, ancestry, national origin, religion, creed, age, gender, gender variance, sexual orientation, or physical or mental disability; *(Adopted Oct. 27, 2000) (Amended April 15, 2011; December 19, 2014)*
 - h. Cruelty to animals; *(Adopted April 15, 2011)*
 - i. Impersonating a peace officer, firefighter, or public servant; *(Adopted April 15, 2011)*
 - j. Obstruction of government operations; *(Adopted April 15, 2011)*
 - k. Obstruction of a peace officer, firefighter, emergency medical service provider, rescue specialist, or like volunteer; *(Adopted April 15, 2011)*
 - l. False reporting to fire, emergency, or law enforcement authorities; *(Adopted April 15, 2011)*
 - m. Perjury. *(Adopted April 15, 2011)*
2. An individual shall not have any conviction of a **misdemeanor offense**, within the period beginning from **one hundred twenty (120) months (10 years)** prior to the date of application and up to the date of appointment, **involving any of the behaviors or offenses listed** below:
(Adopted April 15, 2011) (Amended December 19, 2014)
- a. Any offense based on child abuse (including child neglect) that does not involve an injury to the child or to the child’s health;
 - b. Illegal use or possession of a firearm or an edged weapon (e.g. knife).¹⁶
(Adopted April 15, 2011) (Amended December 19, 2014)
3. **Misdemeanor offenses involving fraud, forgery or theft.**¹⁷
(Adopted December 19, 2014)
- a. **Within 84 months Prior to Application:** An individual **shall not have any** conviction of a **misdemeanor offense** involving **fraud, forgery or theft** within the period beginning from eighty-four (**84**) **months (7 years)** prior to the date of application and up to the date of appointment.
 - b. **More than 84 Months Prior to Application:** For any such misdemeanor conviction that occurred **more than eighty-four (84) months (7-years)** prior to the date of application, an individual shall be subject to a presumptive automatic disqualification. However, the **individual may request a case by case Commission review for exemption from disqualification** as provided below:

¹⁶ **Editor’s Note:** Prior to the amendments of 2014, this category of misdemeanor offense was previously adopted on April 15, 2011, as a “lifetime” disqualifier.

¹⁷ **Editor’s Note:** Prior to the adoption of this subsection in 2014, these three categories of misdemeanor offenses (fraud, forgery and theft) were initially adopted on April 15, 2011, as “lifetime” disqualifiers.

- i. **For a Police Officer applicant:** A written request for review for exemption from disqualification must be provided to the Commission, in a format as prescribed by the Commission, along with a copy of the respective court records for the offense in question.
 - ii. **For a non-Firefighter Fire Department applicant:** A written request for review for exemption from disqualification must be provided to the Commission, in a format as prescribed by the Commission, along with a copy of the respective court records for the offense in question.
 - iii. **For a Firefighter applicant:** A written request for review for exemption from disqualification must be provided to the Commission, in a format as prescribed by the Commission, along with a copy of the respective court records for the offense in question. In addition, a Firefighter applicant must also provide a copy of a current Colorado EMT certification.
4. An individual **shall not have more than one (1) conviction of any misdemeanor offenses** within the period beginning from **sixty (60) months (5 years)** prior to the date of application and up to the date of appointment.
[Adopted October 27, 2000 as § 1(B)(3)] (Amended April 15, 2011; December 19, 2014)
5. An individual **shall not have any conviction of any misdemeanor offense**, as provided below:
- a. **Within the period** beginning from **sixty (60) months (5 years)** prior to the date of application and up to the date of appointment.

This includes offenses arising **from conduct on or off the job**.

[Adopted October 27, 2000 as § 1(B)(3)] (Amended April 15, 2011; December 19, 2014)

H. Traffic Related Infractions/Offenses: To be eligible for application and for original appointment to a position in the Classified Service, an individual shall not have any conviction of, or driver license suspension for, a traffic related infraction or offense under the circumstances and time periods as specified below in this Subsection 6(H) (1-5).

(Adopted April 15, 2011) (Amended December 19, 2014)

- 1. An individual **shall not have more than one (1) conviction of a DUI (Driving Under the Influence) or DWAI (Driving While Ability Impaired) offense during an individual's lifetime**. (This includes all like infractions/offenses applicable to any means of motorized transport.)
[Adopted October 27, 2000 as § 1(B)(9)] (Amended April 15, 2011; December 19, 2014)
- 2. An individual **shall not have any conviction of a DUI or DWAI offense** within the period beginning from **sixty (60) months (5 years)** prior to the date of application

and up to the date of appointment. (This includes all like infractions/offenses applicable to any means of motorized transport.)

[Adopted October 27, 2000 as § 1(B)(8)] (Amended April 15, 2011; December 19, 2014)

3. To be eligible for application and for original appointment to a position in the Classified Service, an individual **shall not have any** conviction of any of the **traffic infractions/offenses listed below**, within the period beginning from **sixty (60) months (5 years)** prior to the date of application and running to and including the date of appointment:

(Adopted April 15, 2011) (Amended December 19, 2014)

- a. Leaving the scene of an accident;
- b. Eluding or attempting to elude a peace officer;
- c. Engaging in a speed contest;
- d. Reckless driving; or
- e. A driving infraction or offense that states the violation resulted in a serious bodily injury or death.

(Amended December 19, 2014)

4. An individual **shall not have any driver’s license suspension, based on moving traffic violations/infractions**, within the period beginning from **thirty-six (36) months (3 years)** prior to the date of application and up to the date of appointment.

(Adopted April 15, 2011) (Amended December 19, 2014)

5. An individual **shall not have any** conviction of a traffic violation/infraction based on **operating a motor vehicle without insurance** within the period beginning from **twelve (12) months (1 year)** prior to the date of application and up to the date of appointment.

(Adopted April 15, 2011) (Amended December 19, 2014)

- I. **Drugs – Illegal Use, Purchase, Possession, Distribution, Sale or Manufacture:** To be eligible for application and for original appointment to a position in the Classified Service, an individual shall not have any illegal use, purchase, possession, distribution, sale or manufacture of **soft drugs¹⁸** or **hard drugs¹⁹**, **as prohibited under federal, state or local law**, and during the time periods and under the circumstances as specified below in this Subsection 6(I) (1-8).

(Adopted April 15, 2011) (Amended December 19, 2014)

¹⁸ **Editor’s Note:** “Drug, Soft” is defined in Rule 1 to include Class V controlled substances, and marijuana in a single quantity of less than eight ounces.

¹⁹ **Editor’s Note:** “Drug, Hard” is defined in Rule 1 to include Class I, II, III & IV controlled substances, the illegal use or possession of which would be classified as a felony; and to include marijuana concentrate where the use or possession of which would be classified as a felony; and also to include marijuana in a single quantity of eight ounces or more. See also the definition of “Drug, Prescription” in Rule 1.

1. **Marijuana is a Schedule I controlled substance** under the federal Controlled Substances Act (21 USC Sec. 801 et. seq.). Therefore, any use, purchase, possession, distribution, sale or manufacture (including transportation for the purpose of distribution, sale or manufacture) of marijuana or its derivatives that would be regarded as illegal under the federal Controlled Substances Act (as determined at the sole discretion of the Commission) shall be regarded as “illegal”. No exception shall be provided for marijuana, or its derivatives, as a drug or substance that is prescribed, recommended or dispensed for medical purposes when such is prohibited under federal law. (Adopted April 15, 2011)

2. **Misdemeanor Offenses Involving or Relating to Any Controlled Substance:**
(Adopted December 19, 2014)
 - a. **Within 120 Months Prior to Application:** An individual shall not have any conviction of any **misdemeanor offense involving or relating to any controlled substance** (any hard drug or soft drug under Commission Rules) within the period beginning from **one hundred twenty (120) months (10 years)** prior to the date of application and up to the date of appointment.
(Adopted April 15, 2011) (Amended December 19, 2014)

 - b. **More than 120 Months Prior to Application:** For any such conviction that occurred **more than one hundred twenty (120) months (10 years)** prior to the date of application, an individual shall be subject to a presumptive automatic disqualification. However, the **individual may request a case by case Commission review for exemption from disqualification** as provided below:
(Adopted December 19, 2014)
 - i. **For a Police Officer applicant:** A written request for review for exemption from disqualification must be provided to the Commission, in a format as prescribed by the Commission, along with a copy of the respective court records for the offense in question, and a copy of a written waiver of any related peace officer certification requirements received from Colorado Peace Officer Standards and Training (POST) board for the offense in question;

 - ii. **For a non-Firefighter Fire Department applicant:** A written request for review for exemption from disqualification must be provided to the Commission, in a format as prescribed by the Commission, along with a copy of the respective court records for the offense in question;

 - iii. **For a Firefighter applicant:** A written request for review for exemption from disqualification must be provided to the Commission, in a format as prescribed by the Commission, along with a copy of the respective court records for the offense in question. In addition, a Firefighter applicant must also provide a copy of a current Colorado EMT certification.

3. An individual shall not have any illegal distribution²⁰ (including delivery, transportation, transfer), sale or manufacture²¹ of hard drugs or soft drugs at age twenty-one (21) or older.
[Adopted Oct. 27, 2000 as § 1(B)(10)] (Amended April 15, 2011; December 19, 2014)

4. An individual **shall not have any** illegal distribution²⁰ (including delivery, transportation, transfer), sale or manufacture²¹ of **hard drugs**, as provided below:
 - a. While **under the age of twenty-one (21)**; and
 - b. During the period beginning from **one hundred twenty (120) months (10 years)** prior to the date of application. *(Adopted December 19, 2014)*

5. An individual **shall not have any** illegal distribution²⁰ (delivery, transportation, transfer), sale or manufacture²¹ of **soft drugs**, as provided below:
 - a. While **under the age of twenty-one (21)**, thirty-six (36) months and three (3) years prior to the date of application; and
 - b. While over the age of twenty-one, sixty (60) months, five (5) years prior to date of application. c. Medical use or assistance for medical use of others who are provided marijuana by an applicant regardless of age fall under the thirty-six (36) months, three (3) years standard if purchased by an applicant and provided to someone else.

6. An individual **shall not have any** illegal use, purchase or possession of **soft drugs or hard drugs, as provided below**:
 - a. While **an employee or volunteer in any of the following positions**: law enforcement; peace officer; armed public safety; correctional officer; military police; firefighter; or medical first responder; and
 - b. During the period beginning from **120 months (10 years)** prior to the date of application and up to the date of appointment. ²²

This includes conduct on or off the job.

[Adopted October 27, 2000 as § 1(B)(13)] (Amended April 15, 2011; December 19, 2014)

²⁰ **Editor’s Note:** Regarding marijuana, “Distribution” is defined in Rule 1 to clarify that the distribution of one (1) ounce or less of marijuana, without any remuneration, barter or exchange, is considered to be “Use or Possession” and not “Distribution”. Also see Rule 3 § 6(I)(8).

²¹ **Editor’s Note:** Regarding marijuana, “Manufacture” is defined in Rule 1 to include for any person to cultivate, grow, produce, prepare, or process marijuana (regardless of whether for personal use, distribution or sale).

²² **Editor’s Note:** The amendments of December 19, 2014 modified the time period of automatic disqualification from “lifetime” to 120 months (10-year) (with case by case consideration for any offense older than 10 years prior).

7. An individual shall not have any illegal use, purchase, or possession of **hard drugs** within the period beginning from **sixty (60) months (5 years)** prior to the date of application and up to the date of appointment.

[Adopted October 27, 2000 as § 1(B)(11)] (Amended April 15, 2011; December 19, 2014)

8. An individual shall not have any illegal use, purchase, or possession of **soft drugs** (including recreational or medical marijuana as prohibited under Federal law) within the period beginning from **thirty-six (36) months (3 years)** prior to the date of application and up to the date of appointment.

[Adopted October 27, 2000 as § 1(B)(12)] (Amended April 15, 2011; December 19, 2014)

J. Additional Minimum Qualifications for Police Officer: In addition to the minimum qualifications as provided in this Rule 3 § 6(A -I), to be eligible for application and for original appointment to a position in the Classified Service, any applicant for the position of Police Officer shall also meet the following minimum qualifications.
(Adopted April 15, 2011) (Amended December 19, 2014)

1. Except as provided in subsection J(2) below, an individual shall not have any conviction of any of those **specified misdemeanor offenses for which the Colorado Peace Officer Standards and Training (POST) Board shall deny certification** as provided under C.R.S. 24-31-305(1.5) as it may be amended from time to time.²³ This shall include any substantially similar misdemeanor offenses under any federal, state or local law.

(Amended December 19, 2014)

2. Except as provided under this Rule 3 § 6(I)(2)(b)(i), regarding Misdemeanor Offenses Involving or Related to Any Controlled Substance, there shall be no exemption from disqualification for offenses as provided in this Subsection 6(J)(1), regardless of any exemption or variance for peace officer certification having been granted by the POST Board or its Executive Director.

(Amended December 19, 2014)

K. Additional Minimum Qualifications for Firefighter: In addition to the minimum qualifications as provided in this Rule 3 § 6(A-I), to be eligible for application and for original appointment to a position in the Classified Service, any applicant for the position of Firefighter shall also meet the following additional minimum qualifications.
(Adopted April 15, 2011) (Amended December 19, 2014)

1. An individual shall not have any conviction of any **misdemeanor crime that is considered to present** (as determined at the sole discretion of the Commission) either an **unreasonable risk** or a **significant risk** to public health and safety under

²³ **Editor’s Note:** See Attachment A to Rule 3 – POST’s list of misdemeanors that will “affect” certification (unless a waiver is granted by POST) as derived from C.R.S. 24-31-305(1.5).

the Criminal Conviction Policy of the Emergency Medical and Trauma Services Section, CDPHE, as it may be amended from time to time.²⁴
(Adopted April 15, 2011) (Amended December 19, 2014)

2. Except as provided in subsection K(3) below, an individual shall not have any conviction of any misdemeanor crime that relates to the duties and responsibilities of an EMT and is considered to present good cause for possible denial of an Emergency Medical Technician (EMT) certificate under the Criminal Conviction Policy of the Emergency Medical and Trauma Services Section, Colorado Department of Public Health and Environment (CDPHE), as it may be amended from time to time.²⁴
(Adopted December 19, 2014)

3. Except as provided under this Rule 3 § 6(I)(2)(b)(iii), regarding Misdemeanor Offenses Involving or Related to Any Controlled Substance; and under this Rule 3 § 6(G)(3)(b)(iii), regarding Misdemeanor offenses involving fraud, forgery or theft; there shall be no exemption from disqualification for criminal offenses as provided in this Subsection 6(K)(2), regardless of any EMT certification having been granted by the CDPHE.
(Adopted December 19, 2014)

Section 7. Physical, Mental & Psychological Qualifications.
(Adopted October 27, 2000 as § 6)

Applicants for original appointment must be physically, mentally, and psychologically qualified to perform, with or without reasonable accommodation, the essential job functions of the position for which application is made.²⁵

Section 8. Other Qualifications.
(Adopted March 27, 1998 as § 6) (Amended October 27, 2000 as § 7)

Applicants for original appointment must also possess all other minimum qualifications as determined by job analyses or studies of the position to be filled.

Section 9. Documentation to Verify Qualifications Including Character and Background.
(Adopted March 27, 1998 as § 7) (Amended October 27, 2000 as § 8; April 15, 2011)

Documentation to be used to verify an applicant’s qualifications, including an applicant’s character and background, shall be provided by an applicant upon request by the Commission. A failure to provide any such requested documentation in a timely manner may result in disqualification. *(Adopted October 27, 2000) (Amended April 15, 2011)*

²⁴ **Editor’s Note:** See Attachment B to Rule 3 – CDPHE Emergency Medical and Trauma Services Section – Criminal Conviction Policy (selected sections only).

²⁵ **Editor’s Note:** Prior to the amendments of Oct. 27, 2000 the qualification of being physically capable of performing the essential job functions was referenced in the prior Section 1, Character and Background.

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