

Electronic Form 45

by Lt Col Don Barbalace, CAP/IGTA



A member has asked if it is permissible to maintain the CAPF 45 in electronic form. The short answer is YES. National has provided fillable versions of the Form 45 in both Word and PDF. You may use these forms, or you may create your own using a database of some sort like Excel or Access. The regulatory concern is that you keep the records, not *how* you keep them. As long as you have the information recorded and available upon inspection, you will be in compliance with this requirement in both SUI and CI.

A complication in this matter is that the D-5 tab cites CAPR 50-17 para 2-4a and b, which does not contain the “will” directive. R50-17 only says the “Form 45 is generally used” and that “the PDO will normally use the online Specialty Track...” Neither term, *generally* or *normally*, is directive.

Words like *should*, *generally*, *could*, and *may* are **permissive**, not regulatory. That is, they give permission for an action or practice, but do not require it. On the other hand, *will*, *shall*, and *must* regulate; they require an action. As inspectors, we are in the “will, shall, and must business,” not the “could, should, and may” business. Inspectors and their worksheets cannot require something that is not required by the regulation.

We checked with the NHQ staff concerning the precise requirements of the Personnel and Professional Development departments and got a clear reply from Susan Parker, CAP’s Chief of Personnel and Member Actions. She replied in part,

Units don’t have to use the Form 45 at all as long as they have some means of maintaining information. They can use some other type of personnel file or an electronic file, as long as they have something. CAPR 39-2, para 1-7 states: “*Many achievements/training are recorded in the member’s online membership record available for review through the eServices section of the CAP website. Units may use this information to supplement the information maintained in the physical file at the unit level. The online record cannot be used as the only personnel file since all information concerning the member is not currently tracked online.*” The intent of this was to give the units flexibility in what they had to maintain. If the information is listed in eServices, as far as Personnel is concerned, it does not need to be entered on the actual Form 45 or maintained separately. Our goal is to have all the information eventually recorded in eServices ...

CAPR 39-2, paragraph 1-7 also says: “Regardless of who maintains the personnel file, the professional development officer remains responsible for recording professional development training as prescribed in CAPR 50-17.” CAPR 50-17, para 2-4a states: “The PDO will normally use the online Specialty Track Administration program and Professional Development Awards program to record each member’s progress in the Professional Development Program. The Form 45 is generally used to record information not contained in eServices.” The word “generally” in this case means it is a common way to record what isn’t tracked online but it does not require the use of the Form 45. The units have to have some way to track requirements for PD awards like presentations to outside organizations, conference attendance or service as staff member at a CAP course but they are not required to use the Form 45 for that any more.

If a worksheet is in conflict with the regulation, as in requiring something not required by the regulation, inspectors can mark the question N/A. It is the regulation that governs, not the worksheet.