

INITIAL STATEMENT OF REASONS

Management Course Prerequisite Waiver Process for Attending the Executive Development Course – Regulation 1005(c) and Procedures D-4 and D-15 (new)

In 1974 the Commission adopted into regulation the Management Course, or its equivalent as a prerequisite to the Executive Development Course (EDC). By 1981, the equivalency language had been dropped from the regulation, but the Management Course prerequisite remained, and continued to be the prerequisite to the EDC.

In years past, California chiefs of police and sheriffs generally promoted through the ranks. However, today it is not unusual for law enforcement executives to come from other states with a wealth of experience, training, education, and knowledge. Some, who have served as executives of larger agencies employing hundreds or even thousands of officers, would find the Management Course content elementary and of little benefit, as well as a misuse of the valuable training time of all who are involved.

Also in recent years, California peace officers and supervisors, with considerable law enforcement training and experience, move directly to the position of sheriff or chief of police. With the direct transition to a chief executive position, these same chief executives may not have completed a POST-certified Management Course. Some of these executives, particularly those who were supervisors with small agencies, performed in the capacity of a manager or assistant executive for many years prior to achieving the executive position. In such cases, it would be unreasonable and inappropriate to apply the prerequisite. However, in other cases, it would be very appropriate for the new executive to acquire both supervisory and management training before attending the EDC.

An individual approach to applying the prerequisite, taking into account the prior training and experience would seem the most prudent course and in the best interest of California law enforcement. While we see ourselves as the national leader in standards and training, we must recognize that a “one size fits all” approach has its limitations.

All of these chief executives will benefit by attending a POST-certified Executive Development Course. However, POST Regulation 1005 (d) requires completion of a POST-certified Management Course as a prerequisite to attending a POST-certified Executive Development Course.

At its April 27, 2000 meeting, the Commission approved an increase in course hours and a model format. The format included a breakout of the broad topics listed in Commission Procedure D-4. The Commission, in the April 21, 2005 meeting, unanimously approved the proposed waiver process that included reference to the Management Course model topics / Instructional Goals approved by the Commission in April 2000. POST is proposing to establish a process for granting a waiver of the Management Course prerequisite for attending the Executive Development Course.

Regulation 1005(e)

Language is added to establish a prerequisite waiver process for currently-employed California chief executives. The prerequisite requires attendees to complete the Management Course prior to attending an Executive Development Course. The proposed language allows a chief executive whose education, training, and experience may be comparable to a POST Management Course to request an evaluation for purposes of qualifying for a waiver.

The incorporation by reference historical note for Procedure D-4 includes a placeholder for the effective date of these changes. Language is added to provide an incorporation-by-reference historical note and effective date for new Commission Procedure D-15.

Commission Procedure D-4, Management Course

Language is added to list the Management Course model topics / Instructional Goals approved by the Commission in April 2000. These are used by Management Course presenters and are being added at this time to give Management Course waiver applicants more detailed information on the course content for

establishing eligibility for a waiver, only for the purpose of attending the Executive Development Course. Subsection formatting is added for clarity.

The incorporation by reference historical note includes a placeholder for the effective date of these changes.

Commission Procedure D-15, Management Course Prerequisite Waiver Process for Attending the Executive Development Course

This procedure establishes the process for determining whether a chief executive has sufficient prior experience, training, education, and current executive responsibilities to authorize the Executive Director to issue a waiver of the Management Course prerequisite for attending the Executive Development Course. This includes a fee to cover the administrative costs of the POST evaluation; it shall be based on actual expenditures related to this procedure. A list of acceptable training, education, and employment documents is consistent with the types of documents POST accepts for other processes, i.e., POST certificate applications, Basic Course Waiver process.

A new application form and expanded list of the Management Course topics used by certified presenters is provided to assist the chief executive applicant. The Sample Employment Verification Letter is included to guide the applicant in providing complete information for the evaluation process.

Procedures also address the steps POST will follow, from the evaluation of the waiver application package to the approval or non-approval of the waiver request. POST is estimating a maximum of sixty days from the date of the receipt of the evaluation request at POST, to allow for the worst case scenario. Some factors include potential follow up to obtain additional information or documents, staff commitments such as meetings, and unforeseen emergencies for POST. The chief executive may appeal in writing to the Commission within 90 days of the notice from unsuccessful completion, which is typical of most POST processes.

A historical note is included for consistency with other POST procedures that have been incorporated by reference into POST regulations.