

INITIAL STATEMENT OF REASONS

Add New Test Administration and Security Requirements for POST Basic Courses and Amend Related Language in Regulations 1005, 1007, 1008, and 1052, and Procedures D-1 and D-10

The Commission on Peace Officer Standards and Training (POST) proposes to implement a requirement for written policies and procedures regarding test administration and test security, including sanctions for not complying with this regulation.

In 2003, violations of the *POST Basic Courses Test Use and Security Agreement* forced POST staff to decertify a basic academy presenter. The agreement between a training presenter and POST identifies the terms and conditions under which a presenter may acquire and use specific POST-constructed knowledge, comprehensive, scenario and exercise tests. In this case, the act of actually providing students with answers to high-stakes written tests prior to the test administration compromised several test forms.

Following the incident, POST staff conducted an in-depth investigation into the nature and extent of test security problems at the decertified academy. The investigation identified several issues, which POST brought before the Consortium of California Academy Directors. The Consortium reviewed the findings in depth, and appointed an ad hoc committee on test security to study the issues and to draft policy and procedural guidelines, which consortium member academies could implement. The intent of the guidelines was to prevent occurrences like those identified in the follow-up investigation at the decertified academy. In September 2004, the consortium voted to approve the draft guidelines created by the ad hoc committee, and to invite voluntary compliance with the guidelines for 1 year, at which point the consortium would make a recommendation either to make the guidelines mandatory or to keep them as a voluntary procedure.

At their December 2005 meeting and following a 1-year trial period, the Consortium (POST Basic Academy directors and coordinators) voted unanimously to recommend that the Guidelines become a mandatory part of Basic Course certification. This proposal was subsequently approved by the POST Commission at its April 2006 Commission Meeting.

Incorporation by reference statements

Added language incorporates the *POST Basic Courses Test Administration and Security Guidelines – 2006* by reference into Regulations 1005, 1007, 1008, and 1052.

Added language specifies the new effective date of January 1, 2007 for incorporation by reference statements in POST Regulations 1005, 1007, and 1008 and Procedures D-1 and D-10.

New language in Procedure D-1 specifies the incorporation by reference of D-1-1 and D-1-3 in POST Regulation 1007. These necessary statements correspond to the incorporation by reference statements in Regulation 1007, and ensure consistency and clarity between Regulation 1007 and Procedure D-1.

New language in Regulation 1052 and Commission Procedure D-1

New language specifies a test administration and security policy for POST regular basic courses and the Specialized Investigators' Basic Course in Regulation 1052 and Procedure D-1 in Section 1-3 (a)(10) new, Section D-1-4 (a)(8) new, Section 1.7.(a) (7), and Procedure D-10 (a) (7). Added language also specifies sanctions for failure to establish the policy and/or to comply with the policy, as specified in the new *POST Basic Courses Test Administration and Security Guidelines – 2006*. This added language specifies the requirements to develop and comply with agency-specific, and clearly indicates the sanctions for failure to follow this regulation. POST intends to protect its tests, which are expensive to develop, and to maintain the integrity of POST's basic courses, while assisting its academies in following this regulation.

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Regulation 1005 references and grammar

Amendments to Regulation sections 1005 (a) (3), (4), and (6) either correct or add the location of references and make one grammar change.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business

The Commission has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on POST has found that the proposed amendments will have no affect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

Consideration of Alternatives

Before the Commission takes this action, it must determine that no reasonable alternative it has considered, or that is otherwise identified and brought to the Commission's attention, would be more effective in carrying out the purpose of the proposed action, or would be as effective as and less burdensome to affected private persons than the proposed action.