

**PROPOSED LANGUAGE**  
**Participation in the POST Program**  
**Regulation 1010 Replaced by Regulations 9030 and 9031**

Title 11, Division 9. Commission on Peace Officer Standards and Training  
Chapter 3. Participation

9030. POST Program Participation

~~1010.~~

(a) POST Program Participation in the POST Program

**(a1) Eligibility:**

To be eligible for participation in the POST Program, a department shall agree to comply with and continue to adhere to minimum selection and training standards and all Commission Regulations ~~as specified in the POST Administrative Manual (Section B) and the California Code of Regulations, Title 11, Division 2.~~

**(e2) Requests to Participate in POST Program:**

Participation in the POST Program is voluntary. A department desiring to participate in the POST Program shall present the Commission with a letter of request to participate, and if eligible, a request to receive aid. If the department also desires its public safety dispatchers to participate in the Public Safety Dispatcher Program, this shall also be included in the letter of request. The letter shall be accompanied by a certified copy of an ordinance, or in instances where an ordinance is not appropriate, a resolution or letter of intent adopted by ~~the~~ the governing body of the requesting department. The document, e.g., ordinance, shall state that while participating in the POST Program, the department will adhere to minimum selection and training standards and Commission Regulations.

**(b3) Inspection of Records:**

Participation in ~~any~~ the POST program requires that the department/dispatch center allow the Commission to make inquiries and inspect records as may be necessary to verify claims for reimbursement or to confirm whether the department or dispatch center is, ~~in fact,~~ adhering to Commission Regulations.

**(4) Mergers Occurring After Initial Request to Participate**

If a group of peace officers becomes a part of a department via a merger or through ~~new~~ legislation, e.g., coroner's merging with a sheriff's department, and this group of officers ~~were~~ was not included in the initial request to participate, an additional request and accompanying documents shall be required as described in section 9030(a)(3) above.

**(45) Initial Compliance:**

When a department has notified the Commission of its intent to participate, POST staff will work with the department to ensure officers are compliant. Incumbent officers' records ~~will be~~ are reviewed to determine compliance with minimum selection and training standards specified in the Penal, Government, ~~Education,~~ or Vehicle Codes that were applicable at the time of each officer's appointment. Officers hired on or after the date an agency enters the POST Program shall be required to meet Commission Regulations, which may be the same or higher standards than the standards in the aforementioned codes.

**(26) Basic Certificate Compliance:**

A participating department shall require every peace officer, appointed on or after the department's entry into the POST Program, to acquire the POST Basic Certificate as specified in Regulation 9070(e) ~~upon completion of probation, but not later than 24~~

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~~months after appointment to a peace officer position, (except when the department's probation period is 24 months, an additional three months shall be allowed).~~

~~(e)~~ **Commission Confirmation:**

When the department is in full compliance as described in section 9030(a)(5) ~~above~~(e) (4), participation of the department will be confirmed by the Executive Director and an effective date of entry established. ~~Eligibility for Approval of~~ a department's participation in the POST Reimbursement Program will also be ~~determined~~confirmed.

(b) ~~(e)~~

**Non-compliance and Ineligibility to Receive Services and Benefits**

**(1) Failure to Adhere to Commission Regulations:**

~~If it appears to the Commission~~ determines that a department has failed to adhere to Commission Regulations, including but not limited to the inspection of records, the Commission shall notify the department of its concern and of the department's possible removal from the Program(s). The Commission shall request that the department correct the problems causing non-compliance with the Regulations.

~~(f)~~ **Appeal Process:**

In the event that the department disagrees with the Commission's findings of non-compliance, the Commission shall afford the affected department the opportunity to appear before the Commission and present appropriate evidence or testimony.

~~(g)~~ **Denial of Services/Benefits**

If the Commission finds that the Regulations have not been adhered to, it shall, beginning with a date determined by the Commission, reject all of the department's requests for services and benefits (reference Penal Code section 13523). A department may be reinstated in the program and again become eligible for services and benefits, ~~when, in the opinion of the Commission,~~ the department has demonstrated, to the satisfaction of the Commission, that it will adhere to the prescribed Regulations. The period during which the department shall remain ineligible for services and benefits shall be determined by the Commission.

9031. POST Public Safety Dispatcher Program Participation

~~1010.~~ (d)

(a)

POST Public Safety Dispatcher Program Participation

**(a1) Eligibility:**

A dispatch center of a local law enforcement department or an independent communication service agency [i.e., an agency that employi~~ng~~ dispatchers who primarily provide services to both ~~fire and police and fire and/or fire and emergency medical services (EMS) and which is not a part of a local law enforcement department],~~ i.e., independent communication service agencies, may apply to participate in the POST Public Safety Dispatcher Program. To be eligible for participation in the POST Public Safety Dispatcher Program, the dispatch center of a local law enforcement department or an independent communication service agency (as described above) shall agree to comply with and continue to adhere to minimum selection and training standards and other applicable Commission Regulations for its public safety dispatchers.

**(2) Requests to Participate in POST Public Safety Dispatcher Program**

Participation in the POST Public Safety Dispatcher Program is voluntary. A department or independent dispatch center desiring to participate in the POST Public Safety Dispatcher Program shall present the Commission with a letter of request to participate,

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and if eligible, a request to receive aid. The letter shall be accompanied by a certified copy of an ordinance; or in instances where an ordinance is not appropriate, a resolution or letter of intent adopted by ~~its~~ the governing body of the requesting department. The document, e.g., ordinance, shall state that while participating in the POST Public Safety Dispatcher Program, the department/agency will adhere to the minimum selection and training standards and other Commission requirements specified for public safety dispatchers.~~specified in Regulation 1010.~~

(3) **Inspection of Records**

**Reference Regulation 9030(a)(2).**

(4) **Initial Compliance:**

~~Incumbent public safety dispatchers will not be required to meet selection and entry-level training standards.~~ Dispatchers hired after the agency enters the Public Safety Dispatcher Program shall meet the requirements applicable to dispatchers as specified in Commission Regulations. ~~Incumbent dispatchers will not be required to meet selection and entry-level training standards.~~ Any incumbent dispatcher who transfers to another participating department will be considered a new hire and shall be required to meet selection and training standards.

(5) **Commission Confirmation:**

Participation of the dispatch center of a local law enforcement department or an independent communication service agency ~~department~~ will be confirmed by the Executive Director and an effective date of entry established. ~~Eligibility for Approval of a department's dispatch center's participation in the POST Reimbursement Program will also be determined.~~ Approval of a department's dispatch center's participation in the POST Reimbursement Program will also be confirmed.

(6) **Noncompliance and Ineligibility to Receive Services and Benefits**

Reference [Regulation 9030\(b\)\(1\)-\(3\)](#).

Authority cited : Sections 13503 and 13506, Penal Code.

Reference: Sections 13503(c)-(g), 13520, 13521, 13522, 13523, 13524, 13525, 13526, 13526.1 and 13526.2, Penal Code.