

# **INITIAL STATEMENT OF REASONS**

## **POST Basic Courses Test Management and Security Protocols**

### **Regulations 1005, 1007, 1008, and 1052 and Procedures D-1 and D-10**

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In 2010 POST established a basic course Test Task Force Committee consisting of basic course directors and coordinators. As part of an ongoing process the committee reviewed and modified the current security documentation used by POST and recommended many changes related to test administration and security. There are non-substantive grammar and punctuation changes made throughout the document. Substantive changes were made regarding policy and procedures as well as incorporating requirements for the use of POST-supplied Report Writing Test Videos. Justification for these changes is described below. To assist in reviewing these changes, the justification is presented in a legend format.

#### **Justification**

All changes to Regulations begin with recommendations from law enforcement practitioners or in some cases as the result of a compromise of test material. POST then facilitates meetings with advisors and subject matter experts (SMEs) who recommend changes to existing Regulations. These recommendations, related to test security, are submitted to the Consortium Advisory Council (CAC), which is comprised of directors and coordinators of POST-certified basic courses. The CAC-approved recommendations are then reviewed by all presenters at the quarterly Basic Course Consortium meetings facilitated by POST. The Consortium approved these proposed changes at its May and September 2013 meetings and the Commission approved them at the July 16 and October 2013 Commission meetings, subject to the Notice of Proposed Regulatory Action process.

#### **Regulations 1005, 1007, 1008 and 1052**

- Inserted reference to new iteration date and amendment dates.

#### **Procedure D-1**

- (1-3)(D)(10) Inserted reference to new iteration date.
- (1-4)(a)(8) Inserted reference to new iteration date.
- (1-7)(a)(7) Inserted reference to new iteration date.
- Subparagraphs 1-3, 1-4, and 1-7 Inserted reference to amendment date.

#### **Procedure D-10**

- (10-2) Inserted reference to new effective date and amendment date.

#### **Test Management and Security Protocols**

Title Page- Changed year to reflect new iteration of the document.

Page 2- Removed the third L from “Intentionally” to correct the error. This change also occurs on pages 4, 15, 26, 28, 30, 34, 36, and 38.

Page 5- Guidelines 1.0: Added language to clarify what specific POST-supplied test material is subject to the guidelines and must be included in a presenter’s policy. Added language clarifies what specific POST-supplied test material is protected.

Page 6- Guidelines 3.2: Removed the reference to printed test material as not all materials are handled in a paper-and-pencil (i.e., printed) format. This change occurs in multiple subsections of Guideline 3.0. Added language to incorporate student generated reports for handling and destruction purposes.

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- Page 7- Guideline 3.2.3: Added language which indicates presenters must include how to store Report Writing Test Videos under this section of their policy.  
Guideline 3.2.4: Added language to include Report Writing Test Videos and student generated reports as secure test materials. Added report writing to the exception. This allows presenters to hold student generated reports past the 10-day destruction requirement for those trainees who fail the retest in case there is an appeal.
- Page 8- Guideline 4.2: Changed the name from Physical Conditioning Manual to Work Sample Test Battery Proctor. Added language which allows the recording of scenario test sessions under specific conditions. Some presenters utilize this method to reduce the number of appeals on a test failure.
- Page 11- Guideline 6.4: Removed language from the remedial training process (6.3) and added it to the subsection. The language added applied to the retest process and not remedial training.
- Page 16- Exhibit 1- Section III (A): Added language to include the Report Writing Test Videos as a type of POST-supplied test material. Added language indicating the scoring keys for written and scenario tests and any student generated report is protected material.
- Page 17- Section IV (B): Added proctor requirements for the Report Writing Test Videos. Removed language requiring completion of the POST Investigative Report Writing for Instructors Course as that is not currently a requirement.
- Page 19- (D)(2-4): Added language that specifies which scenario test materials are secure. Added a paragraph indicating how a presenter can obtain the Report Writing Test Videos and which of those materials are secure.
- Page 20- (F)(2)(c): Added a reference to “boot devices.” These are a thumb drive option POST’s Computer Services Bureau developed that will allow basic course presenters who are not currently able to do so, to administer secure written tests online. It will also allow presenter-provided computers to be used for other purposes (e.g., report writing), and not restrict them to use for testing only. The boot devices will need to be secured and controlled in the same manner as the laptops or test booklets used for testing.
- Page 21- (F)(3)(c&e): Modified the language in the section so it is consistent with the language in Guideline 3.2.4. Added report writing to the exception. This allows presenters to hold student generated reports past the 10-day destruction requirement for those trainees who fail the retest in case there is an appeal. Clarified a student is not able to reduce written test material to writing or challenge a test question in writing.
- Page 22- (F)(4)(b): Added a reference to “boot devices” (see Page 20).
- Page 27- Section VII (B): Removed the language listing civil and/or criminal prosecution as a consequence of violating the security agreement. Inserted reference to new iteration date.
- Page 29- Attachment A: Added an iteration date.
- Page 32- Exhibit 3: Added a reference to “boot devices” (see Page 20).
- Page 33- Exhibit 4: Added Report Writing to the list of included tests. Specified when it is appropriate for a student to discuss test material with another student or evaluator. Removed the language listing criminal prosecution as a consequence of cheating.
- Page 35- Exhibit 5: Added language to allow the recording of scenario test sessions under specific conditions. Removed the language listing civil and/or criminal prosecution as a consequence of violating the contract.
- Page 37- Exhibit 6: Removed the language listing criminal prosecution as a consequence of violating the contract.
- Pages 39 & 40- Exhibit 7: Removed all reference to the Office of Technology Services (OTS) and replaced with the POST Testing Systems. This contract will now reflect the requirements a presenter must meet in order to access any POST Testing System.

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#### **Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses**

The Commission on Peace Officer Standards and Training 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 Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

#### **Cost Impacts on Representative Private Persons or Businesses**

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

#### **Considerations of Alternatives**

The Commission determined that there were no reasonable alternatives to the proposed regulation.

#### **Benefits Anticipated**

The specific benefits anticipated by the proposed amendments to the regulations will be to update the training specifications for Peace Officer Basic Courses. The proposed amendments of regulations will increase the effectiveness of law enforcement standards for Peace officers in preserving peace, protection of public health and safety, and welfare of California.

#### **Economic Impact Analysis**

##### *Impact of Jobs/New Business:*

The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

##### *Assessment*

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the state of California.

##### *Benefits of Proposed Regulation:*

The proposed amendments of regulations will increase the effectiveness of law enforcement standards for Peace officers in preserving peace, protection of public health and safety, and welfare of California.