

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

At the June 25, 2015 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B – Regulations 1001, 1014, 1015, and incorporated procedures from Section E into regulation. All proposed changes had been recommended by a committee of subject matter experts comprised of POST staff members who are directly employed to manage the POST reimbursement program. **All justifications/reasons for change are depicted in bold font following each section or sections.**

### 1001. Definitions

[1001 “Academy Coordinator” through “Reimbursement Plans” continued]

“Reimbursement Plans” are assigned to POST-certified courses. Each plan consists of a combination of training-related expenditures approved by the Commission. The various plans are set forth in PAM Section E-2 Regulation 1015(c)(2).

**Reason: PAM Section E-2 has been replaced by Regulation 1015(c)(2) because Section E is being incorporated into Regulation 1014 and 1015.**

[1001 “Resident Trainee” through “Web- Based Training (WBT)” to end]

---

### 1014. Reimbursement for Training ~~for of~~ Non-Sworn ~~and Paraprofessional~~ Personnel

**Reason: Added “Reimbursement for” for clarity to title of Regulation 1014 and deleted “and Paraprofessional” as obsolete.**

- (a) **Reimbursement shall be provided to Regular Program eligible agencies as defined in California Penal Code Section 13523 for the training of non-sworn personnel performing police tasks and ~~paraprofessional~~ personnel attending the Basic Course, as provided for by Regulation 1015 and ~~POST Administrative Manual Section E-1-4(a) Regulation 1014(a)(1) –(9)~~.**

**Reason: Deleted “Regular Program” to avoid confusion and replaced with “eligible” agencies. Added “as defined in California Penal Code section 13523” for clarity. Deleted obsolete term “Paraprofessional”. Added “attending the Basic Course” for clarity. “PAM Section E-1-4(a)” has been replaced by “Regulation 1014(a)(1)-(9)” because Section E is being incorporated into Regulation 1014 and 1015.**

- (1) The training shall be specific to the task currently being performed by an employee or may be training specific to a future assignment which is actually being planned.
- (2) Non-sworn personnel may attend the courses identified in Regulation 1005(a), (b), (c), (d), and, (e), but reimbursement shall not be provided except as indicated in sub-paragraphs 3, 4, and 5 below.
- (3) Police Trainees, Police Cadets, and/or Community Service Officers, may attend a certified Basic Course and reimbursement shall be provided to the agency participating in the POST Reimbursable Program in accordance with the regular reimbursement procedures up to the maximum hours as listed in Regulation 1015(d)(2).
- (4) With pre-approval from POST Staff, an agency participating in the POST Reimbursable Program shall be reimbursed for a full-time, non-sworn employee assigned to a middle management or higher position to attend a POST-certified

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements  
Regulations 1001, 1014, and 1015

---

Management Course. Reimbursement shall be the same as for a regular officer in an equivalent position. Requests for approval shall be submitted in writing to POST, Management Counseling, Leadership Development Bureau, at least 30 days prior to the start of the course.

Requests for approval must include required information as specified in Regulation 1015(b). Approval will be based on submission of written documentation specifying that the non-sworn manager is filling a full-time position with functional responsibility in the organization above the position of first-line supervisor.

- (5) With pre-approval from POST staff, an agency participating in the POST Reimbursable Program shall be reimbursed for a full-time, non-sworn employee assigned to an executive position, as defined in Regulation 1001, to attend a POST-certified Executive Development Course. Reimbursement shall be the same as for a regular officer in an equivalent position. Reimbursement shall be made only when the employee has completed a POST-certified Management Course as a prerequisite to attendance in the Executive Development Course, as required by Regulation 1005(e).

Requests for approval shall be submitted in writing to POST, Management Counseling, Leadership Development Bureau, at least 30 days prior to the start of the course. Requests for approval must include such information as specified in Regulation(b). Approval will be based on submission of written documentation that the non-sworn executive is filling a full-time position with the functional responsibility in the organization equivalent to the rank of captain or above.

- (6) Non-sworn employees of an agency participating in the POST Reimbursable Program who perform police tasks, and who will be assigned, or who are already assigned, to the following job classes are eligible, without prior approval from POST staff, to attend training courses specific to their job assignments. Their respective agencies shall receive reimbursement for completion of POST-certified courses.

Administrative Positions  
Criminalist  
Community Service Officer  
Evidence Technician  
Fingerprint Technician  
Identification Technician  
Jailer  
Parking Control Officer  
Polygraph Examiner  
Records Clerk  
Records Supervisor  
School Resource Officer  
Traffic Director and Control Officer

- (7) Reimbursement for training which is not specific to one of the job classes enumerated in the above paragraph must be approved by POST staff on an individual basis prior to the beginning of the course. Requests for approval shall be submitted in the manner required in Regulation 1014(b).

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

(8) A full-time public safety dispatcher as defined in Regulation 1001, from an agency participating in the POST Reimbursable Program, may attend the POST-certified Public Safety Dispatchers' Basic Course required by Regulation 1018. The agency shall be reimbursed for allowable training expenses up to the maximum hours listed in Regulation 1015(d)(2).

(9) Public safety dispatchers from an agency participating in the POST Reimbursable Program may attend POST-certified seminars and technical courses specific to their assignments without prior approval from POST staff and their respective agencies shall be reimbursed. If such seminars and courses are not specific to public safety dispatcher assignments, reimbursement must be approved by POST staff prior to attendance at the course. Requests for approval shall be submitted in the manner required in Regulation 1014(b).

**Reason: Added 1014(a)(1)-(9) which replaces/incorporates Procedure E-1-4(a)(1)-(8) and changed verbiage for clarity.**

### (b) Requests for Approval

- (1) ~~Non-Sworn or Paraprofessional Personnel~~ If required pursuant to this regulation, Whenever it is necessary for the employing jurisdiction agency requesting reimbursement shall to obtain prior written approval from ~~the Commission~~ POST staff for non-sworn ~~or paraprofessional~~ personnel to attend reimbursable training. ~~The agency shall include the following information in the approval request the following information regarding each individual. (See PAM Section E-1-4a)~~

**Reason: Added “s” to subtitle as a non-substantive change for grammar and accuracy. Deleted “Non-Sworn or Paraprofessional Personnel” as unnecessarily redundant. Section modified for clarity, deleted obsolete term “paraprofessional” and reference to PAM Section E, which is being incorporated into regulation.**

- (A) The ~~T~~trainee's ~~N~~ame and ~~J~~job ~~T~~title  
(B) Job ~~D~~escription  
(C) Course ~~T~~itle, ~~L~~ocation, and ~~D~~ates of ~~P~~resentation

**Reason: A capital letter will only be used for the first word in subtitles to keep with style format.**

- (2) Requests for approval must reach ~~the Commission~~ POST staff 30 days prior to the starting date of the course.

**Reason: Added “s” to “Request” as a non-substantive change for grammar and accuracy. Approval of requests would be sent to POST staff as opposed to the Commission.**

### (c) Reimbursement

- (1) Reimbursement for non-sworn ~~and paraprofessional~~ personnel ~~shall be~~ is computed in the same manner (except as noted below) as for sworn personnel according to the reimbursement plan for each course ~~appropriate for the~~

INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

~~employee's classification as set forth in the Regulation 1015. POST Administrative Manual, Section E-1-4a.~~

**Reason: Deleted obsolete term "and paraprofessional" and improved paragraph for clarity. "Regulation 1015" is added to replace "POST Administrative Manual, Section E-1-4a".**

- (2) No reimbursement is provided for the training of non-sworn personnel for expenses associated with courses enumerated in Regulation 1005(a)(b)(c)(d)(e), except as provided in Regulation 1014(a)(3), (4) and (5). ~~PAM, Sections E-1-4(a)(3), (4), and (5). PAM section E-1-4a adopted effective April 15, 1982, and amended 5-1-87 is herein incorporated by reference.~~

**Reason: Added "Regulation 1014(a)(3), (4), and (5)" to replace "PAM Section E-1-4(a)(3)-(5) PAM section E-1-4a adopted effective April 15, 1982, and amended 5-1-87 is herein incorporated by reference."**

~~PAM Section E-1-4 (a) adopted effective April 15, 1982, and amended May 1, 1987, October 10, 1990, January 21, 1994, August 1, 2005, and August 26, 2006, is herein incorporated by reference. PAM Section E incorporated into Regulation 1014 effective October 1, 2015 January 1, 2016.~~

**Reason: Added "PAM Section E incorporated into Regulation 1014 effective January 1, 2016" to replace deleted language referencing PAM Sectioned. Effective date changed to "January 1, 2016" as non-substantive.**

Authority cited: 13503, 13506, 13510, Penal Code.

Reference: Sections 13503, 13506, and 13553 Penal Code.

**Reason: Comma added before "and" to keep with format style.**

---

## 1015. Reimbursements for Training

**Reason: Added "for Training" as a non-substantive change to title of Regulation 1015.**

### (a) Proportionate Reimbursement

Reimbursements to cities, counties, and districts shall be granted by the Commission in accordance with Penal Code section 13523. Agencies participating in the POST Reimbursable Program and/or POST-approved training presenters shall be reimbursed from the Peace Officer Training Fund for allowable expenditures incurred for training in POST-certified courses only as defined in Regulation 1001. Reimbursement is based upon fund availability as approved by the Commission.

**Reason: Added to Regulation 1015(a) to replace Procedure E-1-2 and verbiage improved for clarity, adding reference to the definition of POST-certified courses in Regulation 1001.**

- (1) Marshals' and district attorneys' departments are included in the Regular Program for reimbursement even though individual officers employed by the agencies have retained specialized peace officer classification.
- (2) An agency participating in the POST Reimbursable Program jurisdiction that employs limited function peace officers as defined in Regulation 1001 shall ~~may~~ be reimbursed for allowable expenses of these officers that are related to attendance of POST-certified courses.

INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

**Reason: Changed confusing term “jurisdiction” to “An agency participating in the POST Reimbursable Program” for clarity and specified that the definition of limited function peace officers is located in Regulation 1001. Replaced “may” with “shall” to ensure the regulation is mandatory as opposed to discretionary.**

- (b) ~~General Reimbursement Requirements for Travel, Subsistence, Commuter Lunch, Tuition, and Back-fill Salary~~

**Reason: Changed this title to reflect “General” reimbursement “Requirements” listed in this section and deleted “Travel, Subsistence, Commuter Lunch, Tuition, and Back Fill Salary”, as those categories are addressed separately later in the regulation.**

- (1) Requests for reimbursement

~~(A) Agencies participating in the POST Reimbursable Program who request reimbursement for their employees attending POST-certified training courses shall do so. Each request for reimbursement must be submitted on a Training Reimbursement Request (TRR) form, POST 2-273 (Rev 04/2015), herein incorporated by reference, provided by the Commission and submitted to the training institution at the beginning of a POST-certified training course. No further action is required by the participating jurisdiction to receive reimbursement except for those courses requiring a report to POST as a condition of successful completion, such as Field Management Training and Team Building Workshops. Upon completion of the training, reimbursement will be automatically computed and paid to the jurisdiction. The TRR may be submitted to the training course presenter at the time of the course, or be mailed directly to POST. Upon receipt of the course roster from the training course presenter verifying successful completion of the course, reimbursement will be computed and paid to the requesting agency. Courses such as Field Management Training and Team Building Workshops require a report to be submitted to POST staff as a condition of successful completion of the training course. Reimbursement will occur upon receipt of that report.~~

**Reason: Regulation 1015(b)(1) rewritten for clarity and to specify that the Training Reimbursement Request form is to be utilized for requesting reimbursement and the regulation provides more specific documentation requirements for thoroughness and clarity.**

~~(B) POST-approved Training Course Presenter requests for reimbursement shall be submitted to POST on the Commission-approved Presenter Reimbursement Request (PRR) form, POST2-243 (Rev 04/2015), herein incorporated by reference, along with the course budget approved during the course certification process attached to the PRR. This form applies to Plan V courses only.~~

**Reason: Regulation 1015(b)(1)(B) added to address the Presenter Reimbursement Request form adopted previously by the Commission for utilization by Training Presenters to request reimbursement for Training Costs, but which was not previously included in regulation.**

- (2) Training expenses may be claimed only once

~~Agencies participating in the POST Reimbursable Program shall not receive reimbursement for subsequent attendance by a trainee in a course if the trainee has previously attended the same course. Exceptions to this regulation are courses that are authorized to be repeated periodically such as seminars,~~

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

~~Advanced Officer Courses as defined in Procedure D-2-2. When a trainee has attended a course certified by the Commission for which reimbursement has been legally requested and paid, an employing jurisdiction may not receive reimbursement for subsequent attendance by the same trainee of the same course except where attendance of the course is authorized to be repeated periodically, such as for Seminars, Advanced Officer Courses, and selected Technical Courses which deal with laws, court decisions, procedures, techniques, and equipment which are subject to rapid development or change. Exceptions or special circumstances must be approved by the Executive Director prior to beginning the training course.~~

**Reason: Regulation 1015(b)(2) rewritten for clarity.**

- ~~(3) Reimbursement is provided only for expenses related to attendance of POST certified courses.~~

**Reason: This section was deleted due to redundancy, as it is already referenced in Regulation 1015 (a) above.**

- ~~(43) Reimbursement ~~may shall~~ be provided only for satisfactorily completed training acquired by full-time employees in an on-duty status. ~~See the POST Administrative Manual, Section E-1-4(c) and (e), (adopted effective April 15, 1982), herein incorporated by reference.~~~~

**Reason: Non-substantive format change (numbering). The word “may” is replaced with “shall” to ensure the regulation is mandatory as opposed to discretionary. Reference to “Section E-1-4(c) and (e)” were deleted as that section is incorporated into Regulation 1015(b)(3) and Regulation 1015(b)(6).**

- ~~(54) Reimbursement for partial completion of the POST-certified Basic Course shall be made to an agency participating in the POST Reimbursable Program jurisdiction which terminates a basic course trainee, allows a trainee to resign prior to completion of a certified basic course, or if the trainee is unable to complete a certified basic course due to illness, injury, or other physical or academic deficiency, ~~provided the background investigation requirements of Regulation 1950—1960 or Regulation 1018(c) respectively, (based on the applicability of the regulation to the classification of the trainee) have been completed prior to the date the trainee was appointed and the date the course began.~~ The remaining reimbursement entitlement for a trainee eligible to be re-enrolled mayshall be applied to attendance of any certified basic course which is subsequently attended by the trainee.~~

**Reason: Non-substantive format change (numbering). The term “jurisdiction” was changed to more accurately reflect “an agency participating in the POST Reimbursable Program” and a section that is inaccurate and not consistent with current practice was deleted. Replaced “may” with “shall” to ensure the regulation is mandatory as opposed to discretionary.**

- ~~(6) Reimbursement may be paid to a jurisdiction when a peace officer trainee fails a certified Basic Course only because of not passing a locally required training subject(s), but the trainee otherwise satisfactorily completes the course.~~

**Reason: This section was deleted as it is inaccurate and not consistent with current practice.**

- ~~(75) When a peace officer trainee has attended a ~~POST-certified~~ basic course for which reimbursement has been provided, an agency participating in the POST Reimbursable Program employing jurisdiction mayshall receive reimbursement~~

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

for subsequent attendance of a ~~POST-certified~~ basic ~~training~~ course by the same trainee who has a three-year or longer break in service as a peace officer and must be retrained (~~section~~Regulation 1008(b)).

**Reason: Non-substantive format change (numbering).** Deleted the term “POST-certified” as unnecessary due to the fact that any basic course in which reimbursement is provided, is in fact POST-certified. The term “employing jurisdiction” was changed to more accurately reflect “agency participating in the POST Reimbursable Program”. Replaced “may” with “shall” to ensure the regulation is mandatory as opposed to discretionary. Deleted “training” for clarity. Replaced “section” with “Regulation” to keep with format style.

(6) Within the provisions established by the Commission, an agency participating in the POST Reimbursable Program shall receive reimbursement for travel (mileage), subsistence (lodging and meals), commuter lunch, and tuition only when the trainee satisfactorily completes the POST-certified training course. Reimbursement for partial completion of a Basic Course shall be allowed pursuant to Regulation 1015(b)(4).

**Reason: Added Regulation 1015(b)(6) to clarify the categories of costs for training that may be reimbursed. Additionally, travel was clearly defined as mileage and subsistence was clearly defined as lodging and meals.**

- (~~87~~) Reimbursement for partial completion of a certified Motorcycle Training Course ~~or instructor training courses~~ may be provided if the trainee fails to complete the course due to an inability to perform the skills required for successful completion. The POST Executive Director is authorized administrative discretion involving partial completion of POST-certified courses.

**Reason: Non-substantive format change (numbering).** Partial completion of instructor training courses does not occur and is not consistent with current practice, therefore “or instructor training courses” was deleted. Added authorization of the POST Executive Director to provide “administrative discretion involving partial completion of POST-certified courses” into Regulation 1015(b)(7) to replace Procedure E-1-4(e).

- (~~9~~) ~~A Drug Asset Forfeiture Account is established for all money accruing to the Peace Officers' Training Fund from drug asset forfeitures. Funds within the Drug Asset Forfeiture Account will be distributed to cities, counties, and districts participating in the POST program under Penal Code section 13522, and to State agencies, as partial reimbursement of costs incurred by full-time peace officers who complete drug training courses. Annual reimbursement from this account will be made for completion of any POST-certified narcotics and dangerous drug course. Excluded are courses not specifically certified as drug courses and for which POST is unable to track attendance by course content.~~

**Reason: This section was deleted due to previous legislation that removed POST as a recipient of the referenced funds.**

- (~~408~~) Reimbursement is authorized for California law enforcement agencies participating in the POST Reimbursement Program in counties bordering states contiguous to California, and whose officers attend California POST-certified training courses in those states (Oregon, Nevada, and Arizona). Agencies in other than contiguous counties may be reimbursed only if the Executive Director or his designee grants prior approval. Prior approval will be granted only upon showing a special need.

INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

**Reason: Non-substantive format change (numbering). These are non-substantive changes included for clarity.**

- (9) An agency participating in the POST Reimbursable Program that employs a trainee on a full-time basis, whose salary is paid by a source other than the agency, such as a federal grant or other outside funding source, is not eligible to receive POST reimbursement for expenditures covered by the grant.

**Reason: Regulation 1015(b)(9) replaces Procedure E-1-4(d), which has been incorporated into this regulation.**

- (10) Reimbursement shall not be approved for training of any peace officer unless the agency participating in the POST Reimbursable Program has notified POST of the officer's appointment by submitting a Notice of Appointment/Termination form, POST 2-114 (Rev 02/2013) through the POST Electronic Data Interchange (EDI) system or by submitting the form via mail to POST.

**Reason: Regulation 1015(b)(10) replaces Procedure E-4-2, which has been incorporated into this regulation.**

(c) Reimbursement plans

- (1) POST reimbursement for training expenditures of agencies participating in the POST Reimbursable Program and/or POST-approved Training Presenters shall be based on schedules known as "plans". Each plan varies in the amount and/or category of expenses that may be reimbursed by POST. The categories of expense/allowances that may be reimbursed are: subsistence (lodging and meals), commuter lunch, travel (mileage), tuition, back-fill salary, and training presentation costs. The five reimbursement plans that have been adopted by the Commission are designated as Plan I, II, III, IV, and V as follows:

(2) Plans

<u>Reimbursement</u>	<u>Plan I</u>	<u>Plan II</u>	<u>Plan III</u>	<u>Plan IV</u>	<u>Plan V</u>
<u>Subsistence</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Commuter Lunch</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Travel</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Tuition</u>	<u>X</u>		<u>X</u>		
<u>Back-Fill Salary</u>	<u>X</u>	<u>X</u>			
<u>Training Presentation Costs [refer to Regulation 1015(3) below]</u>					<u>X</u>

Each plan is subject to the provisions established by the Commission.

**Reason: Regulation 1015(c)(1) - (2) replace Procedure E-2-2, which has been incorporated into this regulation. Additional information has been provided for clarity with the various categories of reimbursement based on the different reimbursement plans illustrated on a newly-added table.**

- (e3) Reimbursement for training presentation costs (Plan V)

# INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

- (1) With the exception of tuition-based courses, contract courses, and ~~Web-Based self-paced T~~training, an agency presenter, college, university, private presenter, other public entity, and joint powers agency may receive reimbursement for up to the actual course presentation costs [refer to Regulation 1001] for expenses incurred in training full-time employees from agencies eligible for POST reimbursement. POST-approved training presenters submitting a Presentation Reimbursement Request (PRR) form, POST 2-243 (Rev 04/2015) shall include the actual course presentation costs as defined in Regulation 1001, to include subsistence (lodging and meals) and travel (mileage) costs related to course presentation.
  
- (2) Training presentation reimbursement shall be monitored by the POST program manager.

**Reason: Non-substantive format change (numbering). Added “(Plan V)” for clarity. “Web Based” training was changed to “self-paced” training. Non-substantive change removing capitalization from “Training”. Comma added before “and” to keep with format style. Text was added to address the Presenter Reimbursement Request form, which in practice, has been utilized to request reimbursement for presentation costs for Plan V courses, but had not yet been included in regulation.**

(d) Reimbursement Rates

(1) Maximum reimbursement rates

The maximum amounts reimbursed for approved expense categories are approved by the Commission and current rates shall be posted on the POST website.

**Reason: Regulation 1015(d) and (d)(1) replaces Procedure E-3-2, which has been incorporated into this regulation. Actual reimbursable dollar amounts for each reimbursable category are not included in this section, but the Regulation mandates that POST maintain a list of reimbursable rates on the POST website.**

(2) Courses with maximum reimbursement limitations

(A) Subsistence, commuter lunch, and travel allowances will not be reimbursed for more than the maximum number of weeks (based on a minimum hourly requirement of 40 hours) authorized for the following courses:

	<u>Weeks/Hours</u>
<u>Regular Basic Course (Standard Format)</u>	<u>16.6 / 664</u>
<u>Regular Basic Course (Modular Format, Intensive Presentation Only)</u>	
<u>Module III</u>	<u>3.2 / 128</u>
<u>Module II</u>	<u>4.4 / 176</u>
<u>Module I</u>	<u>9 / 360</u>
<u>Specialized Investigators' Basic Course</u>	<u>14.8 / 591</u>
<u>Investigation and Trial Preparation Course</u>	<u>2 / 80</u>
<u>Coroners' Death Investigation Course</u>	<u>2 / 80</u>
<u>Public Safety Dispatchers' Basic Course</u>	<u>3 / 120</u>
<u>Supervisory Course</u>	<u>2 / 80</u>
<u>Advanced Officer Course</u>	<u>1 / 40</u>
<u>Executive Development Course</u>	<u>2 / 80</u>

INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

<u>Management Course</u>	<u>2.6 / 104</u>
<u>Management, Supervisory, Executive Seminars</u>	<u>1 / 40</u>

**Reason: Regulation 1015(d)(2) and (d)(2)(A) replaces Procedure E-4-3, which has been incorporated into this regulation. A substantive change was added to this section to add language clarifying the reimbursement for the Modular Format (Intensive) of the Regular Basic Course due to a Commission-approved pilot program in October, 2014.**

(3) Rates established annually or more frequently as determined by Commission

The Commission may annually, or more frequently as determined by the Commission, establish the reimbursement rates for the categories of expenses approved for the reimbursement plans.

(4) Notification of reimbursement rates

The Commission shall notify agencies participating in the POST Reimbursement Program and/or POST-approved training presenters of the modification of reimbursement rates within 60 days.

**Reason: Regulation 1015(d)(3) - (4) replace Procedures E-3-3 and E-3-4, which have been incorporated into this regulation. The verbiage has been modified for clarity.**

(e) Reimbursement for Travel (Mileage)

(1) Eligibility for travel (mileage) allowance

(A) Agencies participating in the POST Reimbursable Program shall receive reimbursement for travel (mileage) expenses if reimbursement of the expense has been requested on the Training Reimbursement Request form, POST 2-273 (Rev 04/2015) and if the trainee attending the course is the driver of the vehicle for which reimbursement is requested.

(B) POST-approved Training Presenters shall submit their reimbursement requests for travel (mileage) expenses on the PRR form, POST 2-243 (Rev 04/2015). Training Presenters shall be reimbursed for actual travel (mileage) expenses not to exceed the amount approved during the course certification process and as noted on the approved course budget, which shall be attached to the PRR form.

(2) Passenger of vehicle

A trainee shall be considered a passenger of a vehicle when being transported to a training course by another trainee in a private, agency, or rental vehicle. If several trainees share the driving of one vehicle to attend training, travel allowance shall be requested for only one trainee and the other trainee(s) shall be designated as a passenger(s).

(3) Travel (mileage) allowance calculated by POST

In the event that an agency participating in the POST Reimbursable Program and/or POST-approved training presenter is eligible for reimbursement pursuant

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

to this regulation, POST shall reimburse total mileage at the per mile rate established by the Commission. Total mileage shall include adjusted straight-line mileage distance to and from the trainee's agency assignment and the course site, the average daily mileage for transportation between the resident trainee's accommodations and the course site, and the mileage incurred by a trainee to attend training at a location different from the main course site. Travel (mileage) allowance is intended to cover expenses to and from the course site.

(4) Mileage incurred to and from the training course site

(A) POST shall calculate the adjusted straight-line distance from agency/station assignment to the training course site and the return.

(B) Resident trainees as defined in Regulation 1001 are eligible for one round trip of mileage to and from the training course site plus one round trip for each weekend during the training course time period up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Regulation 1015(d)(2). If weekend subsistence is less than travel (mileage), the weekend subsistence amount will be reimbursed.

(C) Commuter trainees as defined in Regulation 1001 are eligible for one round trip of mileage to and from the training course site for each instructional day or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Regulation 1015(d)(2).

(5) Daily travel (mileage) allowance

Resident trainees are eligible for reimbursement of mileage incurred from a resident trainee's lodging accommodations to the course site at a flat rate travel allowance of ten miles round trip. Additional mileage will be allowed when the training course coordinator has notified POST that the nearest accommodation is greater than five miles one way. Daily mileage will be reimbursed from the date the course starts to the date the course ends or up to the date the maximum number of weeks is reached for those courses with limited reimbursement, as specified in Regulation 1015(d)(2). Daily travel allowance is automatically calculated based on the information supplied by the course presenter.

(6) Travel (Mileage) to other Training Course Sites

Upon notification by the training course presenter that travel expenses will be incurred by the trainees to attend training at a site(s) other than the main site of training, reimbursement shall be authorized for the number of miles reported by the training course presenter at the per mile rate approved by the Commission.

**Reason: Regulation 1015(e)(1) - (6) replaces Procedures E-4-16 through E-4-22, which have been incorporated into this regulation. Some verbiage has been changed for clarity and reference to the Presenter Reimbursement Request form has been added to be consistent with current practice in relation to Plan V reimbursement for training presentation costs.**

(f) Reimbursement for Subsistence (Lodging and Meals)

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

(1) Eligibility for subsistence (lodging and meals) allowance

(A) An agency participating in the POST Reimbursable Program shall receive reimbursement for this category of expense for an agency employee that satisfies the "Resident Trainee" definition, as listed in Regulation 1001, if reimbursement has been requested on the POST-provided Training Reimbursement Request form, POST 2-273 (Rev 04/2015).

(B) POST-approved training presenters approved for subsistence reimbursement during the course certification process shall submit their reimbursement requests for actual cost on a Presenter Reimbursement Request (PRR) form, POST 2-243 (Rev 04/2015). The course budget approved during the course certification process must be attached to the PRR.

(2) Subsistence (lodging and meals) allowance calculated by POST

(A) If an agency participating in the POST Reimbursable Program and/or POST-approved training presenter are eligible for reimbursement of subsistence, POST shall determine the amount to be reimbursed based on the following situations:

1. An agency participating in the POST Reimbursable Program shall be reimbursed for actual lodging costs not to exceed the rates established by the Commission a trainee attending a POST-certified course, regardless of whether that amount is less than the daily subsistence rate established by the Commission.

2. Training Course Presenters shall be reimbursed for actual subsistence (lodging and meals) costs not to exceed the amount approved during the course certification process and as noted on the approved training course budget, which must be attached to the Presenter Reimbursement Request.

(3) Subsistence (lodging and meals) for course days

Subsistence shall be reimbursed for each instructional day or up to the date the maximum number of weeks is reached for those training courses with limited reimbursement as specified in Regulation 1015(d)(2).

(4) Subsistence (lodging and meals) for weekends

Subsistence shall be reimbursed for each weekend day that falls between the beginning date and ending date of the course or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Regulation 1015(d)(2). Travel allowance for one round trip between the trainee's station assignment and the training site shall be reimbursed in lieu of weekend subsistence when travel allowance is less.

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

(5) Subsistence (lodging and meals) for school holidays

Subsistence shall be reimbursed for each school holiday that falls between the beginning date and ending date of the course or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Regulation 1015(d)(2). Travel (mileage) allowance for one round trip between the trainee's station assignment and the training site shall be reimbursed in lieu of holiday subsistence when travel (mileage) allowance is less.

(6) Subsistence (lodging and meals) for enroute travel time

Subsistence shall be calculated as a percentage for reimbursement for enroute travel of more than 50 miles but less than 400 miles, not to exceed the maximum rates established by the Commission.

**Reason: Regulation 1015(f)(1) - (6) replaces Procedures E-4-4 through E-4-10, which have been incorporated into this regulation. Some verbiage has been changed for clarity and reference to the Presenter Reimbursement Request form has been added to be consistent with current practice in relation to Plan V reimbursement for training presentation costs.**

(g) Reimbursement for Commuter Lunch Allowance

(1) Commuter trainee definition (Regulation 1001)

A commuter trainee is an individual who attends a training course and travels between his/her agency/station assignment or residence and the course site each day. Trainees who do not meet the definition of resident trainee as defined in Regulation 1001 shall be considered a commuter trainee for reimbursement purposes.

(2) Eligibility for Commuter Lunch

(A) An agency participating in the POST Reimbursable Program shall receive reimbursement for this category of expense for an employee who satisfies the "Commuter Trainee" definition as described in Regulation 1015(g)(1). Requests for reimbursement of the commuter lunch expense shall be made on a Training Reimbursement Request form, POST 2-273 (Rev 04/2015).

(B) When the training course site is less than 25 miles one way from the agency participating in the POST Reimbursable Program, or assigned workstation, the agency shall remain eligible for commuter lunch.

(C) One day courses are not eligible for the Commuter Lunch Allowance.

(3) Commuter Lunch Allowance Calculated by POST

An agency participating in the POST Reimbursable Program and/or POST-approved Training Presenter eligible for reimbursement of commuter lunch allowance shall be reimbursed at an amount calculated by POST based on the daily lunch rate approved by the Commission.

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

(4) Commuter lunch allowance for course days

Commuter lunch allowance shall be reimbursed for each instructional day attended by the trainee for courses spanning more than one day, or up to the date the maximum number of weeks is reached as specified in Regulation 1015(d)(2).

(5) Commuter lunch allowance for weekends, holidays, and enroute travel time

Commuter Lunch Allowance shall not be reimbursed for any weekend day, school holiday, or enroute travel time that is not an instructional day.

**Reason: Regulation 1015(g)(1) - (5) replaces Procedures E-4-11 through E-4-15, which have been incorporated into this regulation.**

(h) Reimbursement for Tuition

(1) Definition of tuition

Tuition is the amount charged by the training institution for trainees attending POST-certified courses.

(2) Eligibility for tuition reimbursement

An agency participating in the POST Reimbursable Program shall receive reimbursement for tuition for each trainee from the agency that attends a course certified by POST as a Plan I or Plan III course.

**Reason: Regulation 1015(h)(1) - (2) replaces Procedures E-4-23 and E-4-24, which have been incorporated into this regulation. Some verbiage has been changed to improve clarity.**

(di) Back-fill (replacement)/Days-Off Reimbursement

(1) ~~The Commission will reimburse any~~ Reimbursement shall be provided to any agency participating in the POST Reimbursable Program ~~eligible agency, pursuant to~~ Penal Code section 13523, for the agency's expense of paying salary at the overtime rate ~~for attendance in designated Plan I and Plan II courses for:~~

(A) Peace officers, public safety dispatchers, or public safety dispatcher

(B) Supervisors who replace another peace officer, public safety dispatcher, or public safety dispatch supervisor to attend training.

(C) Peace officers, public safety dispatchers, or public safety dispatch supervisors who replace another peace officer, public safety dispatcher, or public safety dispatch supervisor to attend training on his/her days off.

~~(1) to a peace officer who replaces another peace officer for his/her attendance at selected POST-certified training, or (2) to a peace officer who is assigned to training on his/her days off, or, (3) to a public safety dispatcher or dispatch supervisor who~~

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

~~replaces another public safety dispatcher, or dispatch supervisor for his/her attendance at selected POST-certified training, or (4) to a public safety dispatcher, or dispatch supervisor who is assigned to training on his/her days off.~~

**Reason: Non-substantive format change (lettering). Regulation 1015(i)(1) has been modified to improve clarity and to specify that Plan I and Plan II courses are the only POST-certified courses eligible for backfill reimbursement. The section also includes additional verbiage that lists in an improved format those job classifications eligible for backfill reimbursement.**

- (2) Courses approved as eligible for backfill reimbursement under POST-certified Plan I and Plan II are:
  - (A) Developed and presented with Federal funds, and allocated by Federal law.
  - (B) Developed and presented with Violence Against Women Act (VAWA) funds.
  - (C) Meet a high priority in-service training need for peace officers, public safety dispatchers, or public safety dispatch supervisors.
- ~~(2) Reimbursement claims may be made only for attendance at POST-certified training courses identified by the Commission. Training courses that qualify for reimbursement are restricted to: (a) courses developed and presented with Federal funds allocated by Federal law, STOP violence against women, (b) courses designed to address high-priority, in-service training needs of entry-level peace officers, and (c) courses designed to address high-priority, in-service training needs of public safety dispatchers and dispatch supervisors. As such courses are certified, there will be a notation of eligibility for reimbursement.~~
- (3) When applying for reimbursement for back-fill costs, the agency must have incurred the expense of paying overtime to fill a position vacated by an officer, public safety dispatcher, or public safety dispatch supervisor assigned to training, or assigned to training on their regularly scheduled days off. The overtime expense and back-fill claim must be directly connected to release and back-fill for a trainee, and records supporting back-fill claims must be maintained. Participating agencies are subject to audit by the State Controller.
- (4) The Commission has authorized back-fill reimbursement to include the travel release time associated with training, not to exceed a total of 16 hours more than the certified course hours. Overtime hours for travel release time shall be added to course hours for which a back-fill claim is being requested.

**Reason: Procedure E-4-28 has been incorporated into Regulation 1015(i)(2) - (4). Changes have been made to verbiage for clarity and approved topical areas for courses approved for backfill have been modified to improve consistency with current practice. Previous section 1015(d)(2) is replaced with 1015(i)(2) for clarity.**

- ~~(35) Reimbursement shall be paid at 100% of actual salary cost (refer to Regulation 1015(i)(6)) (at the time and one-half overtime rate) incurred to keep a position filled while the incumbent attends training. Payment is subject to availability of funds.~~
- (6) Actual salary cost as noted in Regulation 1015(i)(5) is defined as the base monthly salary for the employee's job classification that shall not include incentive pay, hazard pay, education subvention, scholarship, insurance

INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

premiums, medical benefits, watch differential pay, pension plans, and uniform allowance or other employee benefits. Actual salary cost is the base monthly salary earned by the employee on the starting day of the training course for which reimbursement is being requested.

**Reason: Non-substantive format change (numbering). Regulation 1015(i)(5) - (6) have been modified for clarity and to add reference to a specific definition for “actual salary cost”. Previously, there has been considerable confusion as to what constitutes actual salary cost.**

**(j) POST and/or State Controller’s Office Reimbursement Audits**

An agency participating in the POST Reimbursable Program and/or a POST-approved Training Presenter requesting reimbursement shall, upon request of POST or the State Controller’s Office, provide records that verify the accuracy of the amount the agency and/or Presenter was reimbursed annually by POST. Such records shall be retained by the Agency and/or Training Course Presenter for a minimum of three years following the date of reimbursement for each specific course.

**Reason: Regulation 1015(j) replaces Procedure E-1-4(f), which has been incorporated into this regulation. The section added “Training Course Presenters” as also being required to maintain documentation for a potential audit. Additionally, the minimum time period required to maintain records was changed to a minimum of three years, rather than three fiscal years, based on a consultation with the State Controller’s Office.**

~~PAM Section E-1-4c adopted effective April 15, 1982, and amended January 21, 1994, is herein incorporated by reference.~~

~~PAM Section E-1-4e adopted effective April 15, 1982, is herein incorporated by reference.~~

~~Note: Refer to PAM Section E, Reimbursements, for detailed information on reimbursement procedures.~~

~~PAM Section E incorporated into Regulation 1015 effective October 1, 2015~~January 1, 2016.

**Reason: Procedures located in Section E have been incorporated into Regulation 1015. Effective date has changed to “January 1, 2016” as non-substantive.**

Authority cited: Sections 13503, 13506, 13510, and 13520, Penal Code.

Reference: Sections 13510, 13511, 13518, 15320, 13522, 13524, and 13525, Penal Code.

**Reason: Comma added before “and” to keep with format style.**

---

**Justifications for Revisions to Forms**

**Attachment B-1**

***TRAINING REIMBURSEMENT REQUEST, Form POST 2-273 (Rev 04/2015)***

**NOTE: Attachment B-1 with a “Revised” watermark may be compared to Attachment B-2 with an “Original” watermark, dated (05/2010) which is being replaced.**

INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

**Attachment B-1 has been revised as follows to make non-substantive changes to format and for clarity.**

**Changed the form's date to reflect the revision "(Rev 04/215)" on pages 1 and 2.**

**Added "SAVE, RESET and PRINT" links at top of form to establish an electronic version of the form.**

**Added numbers to the instructions and added "Note:" for emphasis.**

**Changed format (lettering to D from B) for box entitled "POST-Certified Course Title", previously entitled "Certified Course Title".**

**Added new section (letter C) entitled "Plan Number".**

**Changed format (lettering to B from C) for box entitled "Course Control Number".**

**Added a reference to "See page 2 for complete instructions".**

**Changed format (lettering to F from E) for box entitled "Trainee Name(s)".**

**Changed format (lettering to G from F) for box entitled "POST ID or SSN".**

**Changed format (lettering to L from L and M) for boxes entitled, "Backfill Hours" and "Backfill Overtime Hourly Salary", previously entitled "Number of Backfill Hours" and "Backfill Hourly Salary".**

**Changed format (lettering to M from N) for box entitled "Substation", previously entitled "Station Assigned other than Headquarters".**

**Changed format (bulleted) for attestation section at bottom of form.**

**Changed format (lettering to N, O, P and Q from O, P, Q and R) of boxes entitled "Full Name of Person Completing Form, Contact Number of Person Completing Form, Authorized Signature, and Title of Authorized Official".**

**Changed format (lettering) of page 2, the Instruction page to reflect the changes made to page 1 of the form.**

**Attachment C-1**

***PRESENTER REIMBURSEMENT REQUEST (PRR), Form POST 2-243 (Rev 04/2015)***

**NOTE: Attachment C-1 with a "Revised" watermark may be compared to Attachment C-2 with an "Original" watermark dated (04/2014) which is being replaced.**

**Attachment C-1 has been revised as follows below to make non-substantive changes to format, for clarity, and to reference correct regulation.**

**Added "SAVE, RESET and PRINT" links at top of form to establish an electronic version of the form.**

**Removed reference to "Regulation 1015I(1)-(2) and Procedure in Section E-2-2", and added the correct reference to "Regulation 1015(c)(2)-(3)".**

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

**Box 6 Changed to “Reimbursement Payment” from “Reimbursement Check Payable To” and added “Make check payable to:” for clarity.**

**Box 10 Added “Print Full” before “Name” for clarity.**

**Box 12 Added “Address” after “Email” for clarity.**

**Box 13 Added “Total” before “Subventions” and “Enter Institution and Dollar Amount)” after for clarity.**

**Box 14 Named box “Total Reimbursement” to keep with format style, moved the worded equation down within the box, and changed “Total Subventions Received” to “Subventions (Item 13)” for clarity. Deleted “Amount” after “Total Reimbursement as unnecessary.**

**Added a section entitled “This Space for POST Use Only” at the bottom of page 1.**

**Changed the format of page 2 Instructions for clarity. Added “(Items 1-7)” after “Section A: Reimbursement Information”. Added “(Items 8-14)” after “Section B: Attestation”.**

---

### **Business Impact/Small Businesses**

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code section 11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on 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.

### **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.

### **Consideration of Alternatives**

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.

### **Economic Impact Analysis**

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

Because the Commission on Peace Officer Standards and Training sets selection and training standards for law enforcement, adoption of the proposed amendments of regulations will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses

## INITIAL STATEMENT OF REASONS

Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel, and Reimbursements Regulations 1001, 1014, and 1015

---

or create or expand businesses in the State of California.

### *Assessment:*

The adoption of the proposed amendments to the regulation will neither create nor eliminate jobs in the State of California. This will not result in the elimination, creation, or expansion of new or existing businesses in the State of California.

### *Benefits of the Regulation:*

The benefits of proposed amendments to the regulation will be to improve the clarity and accessibility of information related to reimbursement for law enforcement training costs and to bring regulations into compliance with current practices. Consequently, the amendments will reduce confusion and delay in terms of providing reimbursements for training to law enforcement agencies and presenters participating in the POST reimbursable program. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California.