Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630
www.post.ca.gov

Amended May 19, 2015

Date: March 5, 2015

Bulletin: No. 2015-03

Subject: **Notice of Proposed Regulatory Action –** *Amend Certificates*
Commission Regulation 1011

At the June 26, 2014 meeting, the Commission approved proposed amendments to *Certificates*, Commission Regulation 1011, to add a professional certificate for Public Safety Dispatch Supervisors and update language for clarity.

The attached notice describes the proposed changes and includes an invitation for written input on this proposal, the deadline for written comments, and information about requesting a public hearing. The following related information is available on the POST Website http://www.post.ca.gov/regulatory-actions.aspx.

- POST Bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons

Questions concerning this proposed regulatory action may be directed to Robert Ziglar, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at Robert.Ziglar@post.ca.gov. General questions regarding the regulatory process may be directed to Patti Kaida at Patti.Kaida@post.ca.gov, (916) 227-4847, or FAX at (916) 2274547.

ROBERT A. STRESAK
Executive Director

Attachment: Notice of Proposed Regulatory Action

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or their duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period. If there is no request for public hearing, the quarterly effective date shall be October 1, 2015.

Public Comments Due by July 13, 2015, at 5:00 PM

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-3895, or by letter to:

Commission on POST
Attention: Rulemaking
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

Authority and Reference

This proposal is made pursuant to the authority vested by Penal Code Section 13503 (authority of the Commission on POST) and Penal Code Section 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific Penal Code Section 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

Informative Digest/Policy Statement Overview

In 1989, at the October Commission Meeting, a Public Safety Dispatcher Certificate Program was introduced as researched by Darrell Stewart. Testimony on the proposal was received at the following Commission Meeting in January 1990. In April 1990, after testimony and discussion, the Commission unanimously adopted the program, effective July 1, 1990.

In September 2006, a proposal was made to establish intermediate and advanced professional certificates for dispatchers. This proposal was approved by Executive Director Kenneth O'Brien in October 2006, and included a continued professional training requirement of 24 hours every 24 months.

In 2010, it was determined that a Dispatcher Supervisor Course was warranted. This course was developed and implemented in 2011, through the South Bay Regional Public Safety Training Consortium. In 2013, Golden West College started hosting the class in southern California.

In January 2013, POST contracted with Special Consultant Rosanna McKinney, to develop and support the POST Public Safety Dispatcher Program, including the Dispatcher Supervisor Program. Ms. McKinney discussed the concept of a Dispatcher Supervisory Certificate with the Public Safety Dispatcher Advisory Committee (PSDAC). The PSDAC approved the concept of a Dispatcher Supervisory Certificate, to be included in the POST Professional Certificate Program, in March 2013.

In May 2013, staff presented a proposal to the Training Program Services Bureau Chief and to the POST Leadership Team, respectively, to gain consensus on establishing the Dispatcher Supervisory Certificate. The concept was well received and it was determined that the proposal should move forward for Commission approval. It was also decided that an update to the regulation was warranted.

The addition of a Dispatcher Supervisory Certificate to the existing Public Safety Dispatcher Certificate Program will require a change in Commission Regulation 1011 (c) to provide authority. The procedure of submitting an application to POST for consideration will remain the same as with other POST professional certificates. Current application(s) will be revised to accommodate the addition of the new certificate and a new certificate template has been developed.

Regulation 1011 will be revised to include 1011(c)(6) Dispatcher Supervisory Certificate Award Requirements, and updated for corrections to non-significant errors and language.

The specific benefits anticipated by the proposed changes to the regulation will be to raise the level of professionalism and leadership of Public Safety Dispatch Supervisors through certification. This regulatory action would create a positive effect on public health and safety.

During the process of developing these regulations and amendments, the Commission on Peace Officer Standards and Training has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

Forms Incorporated by Reference

The following forms are incorporated by reference:

Certificate Application, POST 2-116, Rev. 06/2014
Certificate Application – Public Safety Dispatcher, POST 2-289, Rev. 06/2014
Certificate Application – Records Supervisor, POST 2-117, Rev. 06/2014
Request for Reissuance of POST Certificate, POST 2-250, Rev. 06/2014

Adoption of Proposed Regulations

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

Estimate of Economic Impact

Fiscal impact on Public Agencies including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-Discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to any Local Agency or School District for which Government Code Sections 17500 - 17630 requires reimbursement: None

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: 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 not affect California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement which 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 the proposed action.

Affect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no affect on housing costs.

Results of Economic Impact Assessment per Gov. Code sec. 11346.3(b)

The 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 or create or expand businesses in the State of California.

The benefits of the proposed amendments of regulations to the health and welfare of California residents would be to improve the level of service and professionalism. There would be no impact which would affect worker safety or the States' environment.

During the process of developing these regulations and amendments, the Commission on Peace Officer Standards and Training has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing State regulations.

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 affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposed action.

Contact Persons

Questions concerning this proposed regulatory action may be directed to Robert Ziglar, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at Robert.Ziglar@post.ca.gov. General questions regarding the regulatory process may be directed to Patti Kaida at Patti.Kaida@post.ca.gov, (916) 227-4847, or by FAX at (916) 227-4547.

Availability and Location of the Rulemaking File and the Final Statement of Reasons

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting Patti Kaida at Patti.Kaida@post.ca.gov, (916) 227-4847, or FAX at (916) 227-4547.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to Patti Kaida, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630

Text of Proposal

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon from the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the POST Website at: http://www.post.ca.gov/regulatory-actions.aspx.