



**Commission on Peace Officer Standards and Training**

860 Stillwater Road, Suite 100  
West Sacramento, CA 95605-1630  
[www.post.ca.gov](http://www.post.ca.gov)

Date: August 3, 2015

Bulletin: No. 2015-17

Subject: **Notice of Proposed Regulatory Action – Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel; and Reimbursements Regulations 1001, 1014, 1015, and Incorporating Procedures from Section E**

At the June 25, 2015 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B – Regulations 1001, 1014, and 1015 incorporating procedures from Section E- Reimbursements into Regulations. Regulation 1001 addresses definitions for Section B of the PAM. Regulation 1014 addresses reimbursement for training by non-sworn personnel of POST-participating agencies, and POST Regulation 1015 addresses reimbursement for training attended by peace officers and public safety dispatchers of POST-participating agencies and POST-approved Presenters. POST is proposing these changes to add clarity, bring the regulations into alignment with current practices, and to incorporate the procedures from Section E into regulations to improve accessibility of information related to reimbursements.

The attached notice describes the proposed changes, 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 regarding this proposed regulatory action may be directed to John Hardester, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630 or at [john.hardester@post.ca.gov](mailto:john.hardester@post.ca.gov). General questions regarding the regulatory process may be directed to Patti Kaida at (916) 227-4847, [patti.kaida@post.ca.gov](mailto:patti.kaida@post.ca.gov), or FAX (916) 227-4547.

ROBERT A. STRESAK  
Executive Director

Attachment: Notice of Proposed Regulatory Action

**NOTICE OF PROPOSED REGULATORY ACTION  
Amend Definitions, Training for Non-Sworn and Paraprofessional Personnel; and Reimbursements  
Regulations 1001, 1014, 1015, and Section E**

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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 his/her 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.

**Public Comments Due by September 28, 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) 227-4547, 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**

California Penal Code Section 13523 authorizes the Commission to allocate aid to local governments and districts that have applied for and qualify for aid pursuant to POST regulations. The Commission established reimbursement for training as a means of providing aid to eligible local agencies. The financial aid to local governments and districts is structured as reimbursement for expenditures directly related to compliance with Commission standards and participation in training courses. The source of such aid is the Peace Officer Training Fund (POTF), which was created in the State Treasury by enabling legislation, California Penal Code Section 13520.

Training courses are certified by POST based on several factors, including a determination of the training need for the course submitted for certification, appropriateness of course content, methods of instruction, number of students per course, adequacy of testing or evaluation process, and presentation cost. Each course certified by POST is certified with a specific POST Plan. There are five plans in the reimbursable program that provide reimbursement for various categories of costs associated with training. The reimbursement plans are as follows:

Plan I: Subsistence, commuter lunch, travel, tuition, and backfill

Plan II: Subsistence, commuter lunch, travel, and backfill

Plan III: Subsistence, commuter lunch, travel, and tuition

Plan IV: Subsistence, commuter lunch, and travel

Plan V: Subsistence, commuter lunch, travel, training presentation costs

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The Commission establishes the rates of reimbursement for the various categories of costs associated with each reimbursement plan. Reimbursement requests are submitted to POST by agencies participating in the POST reimbursable program through utilization of a Training Reimbursement Request (TRR), form (2-273) and by POST-approved training presenters through utilization of a Presenter Reimbursement Request (PRR), form (2-243). Both forms are incorporated into regulation by reference.

The changes to Commission Regulations 1001, 1014, and 1015, as well as incorporating Section E of the POST Administrative Manual (PAM) into regulations are proposed for clarity, to bring regulations into compliance with current practice, and to improve accessibility of information/requirements pertaining to reimbursement. The amendment to regulation also adds reimbursement for attendance at the Regular Basic Course, Modular Format (Intensive) by agency-sponsored attendees, a pilot program previously approved by the Commission and implemented by POST staff.

The specific benefits anticipated by the proposed changes to the regulations will be to improve understanding of the requirements associated with POST reimbursement for training costs. There would be no effect to benefits in regard to public health and safety, worker safety, or the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

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:

- Attachment B-1 – Training Reimbursement Request form, POST 2-273 (Rev 4/2015)
- Attachment B-2 – Training Reimbursement Request form, POST 2-273 (05/2010)
- Attachment C-1 – Presenter Reimbursement Request (PRR) form, POST 2-243 (Rev 04/2015)
- Attachment C-2 – Presenter Reimbursement Request (PRR) form, POST 2-243 (04/2014)

**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 or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

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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 effect 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 by improving clarity and accessibility of information and bringing the regulations into alignment with current practices, thus assisting to eliminate confusion and delay in providing reimbursements for training to law enforcement agencies in the State of California who participate in the POST Reimbursable Program. There would be no impact that would affect worker safety or the State's environment.

**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 regarding this proposed regulatory action may be directed to John Hardester, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at [john.hardester@post.ca.gov](mailto:john.hardester@post.ca.gov), or (916) 227-4864. The back-up contact is Darla Engler at

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[darla.engler@post.ca.gov](mailto:darla.engler@post.ca.gov) or (916) 227-3907. General questions regarding the regulatory process may be directed to Patti Kaida at (916) 227-4847, [patti.kaida@post.ca.gov](mailto:patti.kaida@post.ca.gov), or FAX (916) 227-5271.

**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>.

**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 the person(s) named above.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.