



**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. 2015-18

Subject: **Notice of Proposed Regulatory Action – Amend Definitions, Requirements for Course Certification, and Requirements for Self-Paced Training Course Certification Regulations 1001, 1052, and 1053**

At the June 25, 2015 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B, Regulations 1001, 1052, and 1053. POST is proposing these changes to enhance regulations related to instructor-led course certification and to develop and improve upon regulations related to self-paced training courses.

The amended language simplifies and clarifies requirements for training course certification and amends Regulations 1052 and 1053 to address instructor-led training course certification and self-paced training course certification separately and distinctly.

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, Requirements for Course Certification, and Requirements for Self-Paced Training Course Certification**  
**Regulations 1001, 1052, and 1053**

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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**

POST is responsible for reviewing training courses presented to it for certification and conducting an analysis of the proposed course to determine its need and the appropriateness of the course content for the law enforcement community. Historically, POST Regulations 1052 and 1053 were established to address course certification requirements, and the course certification process in regard to instructor-led course certification. As the demand for self-paced training delivered online to the law enforcement community increased, POST responded with the commitment to continue to develop and make available such training.

In August 2006, the Commission approved an amendment to Regulations 1052 and 1053 that included language to establish procedures and requirements for certifying self-paced training courses. At that time, POST was one of the few developers of this type of training. While the language added in August 2006 to Regulations 1052 and 1053 in regard to self-paced training course certification was helpful, some confusion resulted. Specifically, the language was limited and caused confusion to course developers and presenters regarding what requirements pertained to instructor-led course certification and what requirements pertained to self-paced course certification. The proposed amendments alleviate such confusion and separate the two types of course certification into two separate regulations. Regulation 1001 was revised to include the definition of "Learning Activity" which is referred to in both Regulation 1052 and 1053.

The specific benefits anticipated by the proposed regulatory changes to the health and welfare of California residents will be to reduce confusion regarding the separate requirements related to instructor-led and self-paced training course certification. These changes will help ensure that training courses certified by POST meet a specific training need and that the course content addresses the training need. There would be no effect to benefits in regard to worker safety, or the

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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 – Self-Paced Training Course Certification Request form, POST 2-124 (Rev 3/2015)
- Attachment B-2 – Self-Paced Training Course Certification Request form, POST 2-124 (8/26/06)
- Attachment C – Self-Paced Training Subject-Matter Expert Resume form, POST 2-121 (3/2015)

**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

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.

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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.

Effect 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 to clarify and simplify training course certification, separating certification requirements for instructor-led course certification and self-paced course certification to avoid confusion for the law-enforcement training community. 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 backup contact is Law Enforcement Consultant Stephanie Scofield (916) 227-4843. 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.