

INITIAL STATEMENT OF REASONS

Revise Basic Course Physical Conditioning Program
Procedure D-1-3, Regulations 1005 and 1007

At the June 2011 meeting, the Commission approved amendments to Learning Domain 32-Lifetime Fitness of the *Training and Testing Specifications for Peace Officer Basic Courses*. This change, which became effective on January 1, 2012, contains revised physical conditioning curriculum intended to replace that of the *Basic Academy Physical Conditioning Manual—1996*. POST is proposing to repeal the obsolete *Basic Academy Physical Conditioning Manual—1996*, and to change POST Administrative Manual (PAM) language to correctly refer to the *Training and Testing Specifications for Peace Officer Basic Courses* as the source for physical conditioning curriculum.

The obsolete *Basic Academy Physical Conditioning Manual—1996* also contains physical ability testing procedures. POST proposes to replace these procedures with an updated version to improve clarity, simplicity, scoring accuracy, and utility. For example, nonessential information was deleted, acceptable running and landing surfaces were described consistently, instructions for rounding stopwatch times were added, errors in score conversion tables were corrected, and the requirement for a standard 440-yard athletic track was generalized to accommodate academy facilities. POST proposes to re-title the revised test procedures as the *Work Sample Test Battery Proctor Manual* and to refer to this document in the PAM as the correct source for physical ability test procedures.

Justification for Proposed Revisions

[D-1-1 Basic Training through D-1-2 Training Requirements...continued]

Regular Basic Course (RBC)

1-3. Regular Basic Course Terminology and Requirements: The terms related to the Regular Basic Course formats and included in the *Training and Testing Specifications for Peace Officer Basic Courses* are defined in section D-1-3(a). Requirements for the delivery formats are specified in section D-1-3(d), standard format; and section D-1-3(e), modular format.

(a) Regular Basic Course Terminology

[D-1-3(a)(1) Learning Domain through D-1-3(a)(8)(D) Scenario Test....continued]

(E) **Work Sample Test Battery (WSTB).** A POST-developed test of physical abilities as specified in the *Basic Academy Physical Conditioning Manual—1996* [Work Sample Test Battery Proctor Manual](#).

- Replaced name of document containing physical ability test procedures.
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[D-1-3(a)(8)(F) Exercise Test through D-1-3(d)(1)(B) Learning Activities...continued]

(C) **Physical Conditioning Program.** Academies shall require each student to complete the POST Basic Academy Physical Conditioning Program as specified in the ~~Basic Academy Physical Conditioning Manual—1996~~ Training and Testing Specifications for Peace Officer Basic Courses.

- Replaced name of document containing physical conditioning curriculum.
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[D-1-3(d)(1)(D) Examination Review through D-1-3(d)(2)(D) Exercise and Scenario Tests...continued]

(E) **Work Sample Test Battery.**

1. **Test Administration.** At the conclusion of the POST Basic Academy Physical Conditioning Program, academies shall require each student to complete the POST-developed WSTB *or* a POST-approved alternative physical ability test, as described in the ~~Basic Academy Physical Conditioning Manual—1996~~ Work Sample Test Battery Proctor Manual.

- Replaced name of document containing physical ability test procedures.
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[1-3(d)(2)(E)2. Alternative Physical Ability Tests through 1-3(e)(2)(B) Learning Activities...continued]

(C) **Physical Conditioning Program.** Academies presenting Module I shall require each student to complete the POST Basic Academy Physical Conditioning Program as specified in the ~~Basic Academy Physical Conditioning Manual—1996~~ Training and Testing Specifications for Peace Officer Basic Courses.

- Replaced name of document containing physical conditioning curriculum.
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[1-3(e)(2)(D) Examination Review through 1-3(e)(3)(D) Scenario Tests...continued]

(E) Work Sample Test Battery.

1. Test Administration. At the conclusion of the POST Basic Academy Physical Conditioning Program, academies shall require each student to complete the POST-developed WSTB or a POST-approved alternative physical ability test, as described in the *Basic Academy Physical Conditioning Manual—1996* Work Sample Test Battery Proctor Manual.
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[1-3(e)(3)(E)2. Alternative Physical Ability Tests through 1-7(d) (3) Hourly Requirements...continued]

Justification – Regulation 1005 and 1007

New effective date updates the incorporation by reference statement for historical accuracy.

[PAM section D-1-4 adopted... continued ***]

~~The POST Basic Academy Physical Conditioning Manual (February 1990) adopted effective September 26, 1990, and amended and retitled to (1996) on February 22, 1997, is herein incorporated by reference.~~

The *Work Sample Test Battery Proctor Manual* adopted effective (30 days after filing with the Secretary of State) is herein incorporated by reference.

Delete reference to *POST Basic Academy Physical Conditioning Manual (1996)* and added incorporation by reference of new *Work Sample Test Battery Proctor Manual*.

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.

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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

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 regulation will improve the consistency and utility of entry-level law enforcement physical conditioning and physical ability testing procedures for training presenters. The improved training may improve on-the-job performance of physically demanding tasks by new peace officers and may reduce the frequency or severity of injuries to new peace officers. Thus, the regulation change may have a small indirect benefit to public safety and worker safety of newly hired peace officers. There would be no affect to benefits in regard to public health, worker safety other than new peace officers, or environment, the prevention of discrimination, or the increase in openness and transparency in business and government.

Economic Impact Analysis

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 or create or expand businesses in the state of California.

There would be no benefits of the proposed amendments of regulations to the health and welfare of California residents or any impact which would affect worker safety or the states' environment.