

INITIAL STATEMENT OF REASONS

Amend Reimbursement for Training Presentation Regulation 1015(c) and Procedure E-2-2

At the July 16, 2013 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B – Regulation 1015(c) Reimbursement for Training Presentation and Procedure E-2-2 Reimbursement Procedures – Plans.

POST is proposing changes to expand the scope of training reimbursement Plan V to allow for Training Presentation Costs to be paid to colleges, universities, private presenters, other public entities, and joint powers agencies, as well as agency presenters.

Justification for Proposed Revisions

Plan V provides for Subsistence, Commuter Lunch, and Travel reimbursement to agencies sending officers to training. Plan V also reimburses “Training Presentation Costs” to agencies that develop and present training. Colleges, universities, private presenters, other public entities, and joint powers agencies are excluded from receiving Training Presentation Costs.

The number of POST-certified training courses has gone from approximately 2,400 in 1993 to over 4,500. The number of contract training courses has gone from 63 in 1993 to 106 in 2012. In the past few years, the time involved for contract approval by state control agencies has been increased due to stricter contracting regulations. This has caused delays in the timely delivery of needed training including mandated training. Many contract training presenters are colleges, universities, private presenters, and joint powers agencies which limit the number of courses that can be converted to Plan V.

Penal Code sections 13503(c) and (e) grants the Commission authority to expand Plan V reimbursement to include colleges, universities, private presenters, other public entities, and joint powers agencies, as well as agency presenters.

Plan V would be used for POST-certified courses that have been administered through contracts. Courses administered through Plan V would have a POST program manager to provide program oversight. These would include, among others, Supervisory Course, Sherman Block Supervisory Leadership Institute, Management Course, Executive Development Course, Command College, Instructor Development Course, Robert Presley Institute of Criminal Investigation, Violence Against Women Act, and Simon Wiesenthal Museum of Tolerance.

Justification – Regulation 1015(c) Reimbursement for Training Presentation

Regulation 1015(c) Costs added for clarity to reflect grammatical and content consistency in the categories of expenses and allowances the Commission approved for reimbursement Plan V.

(c) Reimbursement for Training Presentation Costs

Regulation 1015 (c)(1) added , college, university, private presenter, other public entity and joint powers agency to increase the number of courses that can presently be converted to Plan V which will accelerate review of course material and budgets, and enable staff to deliver training in a fraction of the time required to execute a contract.

(1) With the exception of tuition-based courses, contract courses, and Web-Based Training, an agency presenter, college, university, private presenter, other public entity and joint powers agency may receive reimbursement for up to the actual

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course presentation costs [Refer to Regulation 1001] for expenses incurred in training full-time employees from agencies eligible for POST reimbursement.

Regulation 1015(c)(2) The strikeout section is no longer applicable. Added monitored by the POST program manager to clarify who will monitor the training presentation reimbursement.

(2) Training presentation reimbursement shall be ~~paid at a uniform rate per student hour~~ monitored by the POST program manager.

Regulation 1015(c)(3) is no longer applicable and is deleted.

~~(3) Training presentation reimbursement shall only be provided for the total number of POST-approved reimbursement training hours attended by eligible trainees as described in Regulation 1015(c)(1).~~

[1015(d) . . .continued]

Authority cited: Sections 13503, 13506, 13510, and 13520, Penal Code.
 Reference: Sections 13510, 13511, 13512, 13518, 13520, 13522, 13523, 13524, and 13525, Penal Code; Section 11489, Health and Safety Code; and Statutes 1997, Chapter 9, Section 2, (Senate Bill 350).

Justification – Commission Procedure E-2-2, Reimbursement Procedures – Plans

Under the Plan V column Costs is added to Training Presentation for clarity and to reflect content consistency in the categories of expenses and allowances the Commission approves.

[Commission Procedure E-1-1 through Commission Procedure E-2-1...continued]

2-2. Plans

POST reimbursement for training expenditures of departments participating in the POST reimbursement program is based on schedules known as “plans.” Each plan may vary 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, commuter lunch, travel, 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:

Plan I	Plan II	Plan III	Plan IV	Plan V
Subsistence	Subsistence	Subsistence	Subsistence	Subsistence
Commuter Lunch	Commuter Lunch	Commuter Lunch	Commuter Lunch	Commuter Lunch
Travel	Travel	Travel	Travel	Travel
Tuition	Back-Fill Salary	Tuition		Training Presentation <u>Costs</u>
Back-Fill Salary				

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

[E-2-3...continued]

Business Impact/Small Businesses

The Commission has made an initial determination that this regulatory proposal would have no

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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

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.

Benefits of the Regulation:

The benefits of proposed amendments to the regulation will eliminate delays in providing needed and or mandated training to California law enforcement. This amendment will reduce contract approval delays and expedite delivery of mandated or high liability training to peace officers and other public safety personnel. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California.