

INITIAL STATEMENT OF REASONS

Amend Academy Instructor Certificate Program (AICP)

Regulation 1009

At the October 23, 2014 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B – Regulation 1009 Academy Instructor Certificate Program (AICP), to add Section (h) Requalification of Instructors.

POST is proposing changes to expand the requalification instructor options so instructors who are out of compliance with the AICP requirements can re-qualify.

Justification for Proposed Revisions

Effective March 1, 2008, POST Regulation 1009 required all presenters of the Regular Basic Course to participate in the Academy Instructor Certification Program (AICP). Effective January 1, 2011, each Regular Basic Course-Modular Format presenter, was also required to comply with the regulation. Regulation 1009 specifies that training that must be completed and instructional hours that must be taught within a designated time frame. January 1, 2014 was the first time instructors who had completed the requirements could fall out of compliance with the AICP regulation. Regulation 1009 does not provide a method for instructors who have fallen out of compliance with the AICP requirements to re-qualify.

Regulation 1009 describes the AICP requirements as well as the triennial re-certification requirements. The regulation does not provide instructors who did not complete their re-certification requirements prior to the end of the cycle a method to regain compliance.

POST discussed this issue with the Instructor Standards Advisory Council (ISAC) and the Consortium of academy directors and coordinators. There was consensus that the instructors should complete additional training that would refresh and enhance their facilitation and related perishable skills in order to reestablish compliance with the requirements of the AICP. Repeating the originally required Instructor Development Institute (IDI) Level 1 Course (AICC) would not enhance their training and, would not be reimbursable take a second time. Based on the input of stakeholders, POST recommends that instructors who are out of compliance for any reason should be required to successfully complete the 24-hour IDI Level 2 (Intermediate) Core Course in order to re-qualify as an instructor in the Regular Basic Course, which includes both the Standard and Modular Formats. The IDI Level 2 Core Course provides advanced instructional techniques and includes a teach back component that allows the students' facilitation skills to be evaluated.

In lieu of completion of the IDI Level 2 Core Course as the means of reestablishing qualification as an instructor in the Regular Basic Course, POST also recommends that the proposed regulation provide for an equivalency process. The equivalency process provides that an experienced instructor development trainer skilled in competencies emphasized in the Academy Instructor Certification Course (AICC) curriculum may assess an instructor's competency by observing the instructor teach and assessing the instructor's performance through the use of Competency Verification Checklist, form POST 2-123 (08/2003).

Instructors who are not of compliance cannot instruct in the Regular Basic Course or the Modular Format until they have successfully reestablished compliance with the proposed requirement of Regulation 1009(h).

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Justification – Regulation 1009 Academy Instructor Certificate Program (AICP)

1009. Academy Instructor Certificate Program (AICP)

[1009(a) through 1009(b)(1)(F) continued]

Regulation 1009(b)(2)(A) the date of the form “(08/2003)” is added for clarity as non-substantive.

(2) The Academy Director/designee or Modular Format Coordinator shall:

(A) Complete and sign a Competency Verification Checklist, POST 2-123 [\(08/2003\)](#), for each student enrolled in the Academy Instructor Certification Course.

[1009(c) through 1009(c)(1) continued]

Regulation 1009(c)(2) added “form”. It is assumed that “POST 2-123” is a form and POST forms are hyperlinked on the Website. However, for consistency and clarity in the language throughout the regulations the word “form” is added before the name of forms as non-substantive. The date of the form “(08/2003)” is added for clarity as non-substantive.

(2) Successful demonstration* of all competencies listed on the Competency Verification Checklist, [form](#) POST 2-123 [\(08/2003\)](#), as verified by the Academy Director/designee through one or a combination of the following:

[1009(c)(2)(A) through 1009(c)(2)(b) continued]

Regulation 1009(c)(3) added “form”. It is assumed that “POST 2-123” is a form and POST forms are hyperlinked on the Website. However, for consistency and clarity in the language throughout the regulations the word “form” is added before the name of forms as non-substantive. The date of the form “(08/2003)” is added for clarity as non-substantive.

(3) Approval by the Academy Director/designee or Modular Format Coordinator on the Competency Verification Checklist, [form](#) POST 2-123 [\(08/2003\)](#).

[1009(c)(4) through 1009(c)(4)(B) continued]

Regulation 1009(c)(4)(C) added “form” as non-substantive. It is assumed that “POST 2-123” is a form and POST forms are hyperlinked on the Website. However, for consistency and clarity in the language throughout the regulations the word “form” is added before the name of forms as non-substantive. The date of the form “(08/2003)” is added for clarity as non-substantive.

(C) Successful demonstration* of competencies listed on the Competency Verification Checklist, [form](#) POST 2-123 [\(08/2003\)](#), performed by teaching in an Academy Instructor Certification Course, a Regular Basic Course, or to academy staff. The

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Competency Verification Checklist shall be assessed and approved by an experienced instructor development trainer skilled in competencies emphasized in the Academy Instructor Certification Course curriculum.

*Any competencies not demonstrated via the methods described in (4)(C) above may be demonstrated by oral examination.

[1009(d) through 1009(d)(1) continued]

1009(d)(2) deleted “remediation” and added “remedial training” as non-substantive for consistency in the language throughout the POST Administrative Manual – Section D-1 and D-2 which are incorporated by reference.

- (2) The Academy Director/designee or Modular Format Coordinator shall provide appropriate ~~remediation~~remedial training.

[1009(d)(3) through 1009(f)(3) continued]

1009(f)(4) corrected spelling error of “AICP” as non-substantive.

- (4) The triennial recertification period begins on January 1, 2011 for all instructors on academy rosters as instructors on that date. Instructors added after January 1, 2011 will be required to renew their certification in the next triennial re-certification period. Notifications shall be provided via the POST electronic ~~ACIP-AICP~~ System.

Regulation 1009(h) Requalification of Instructors added to provide a method for instructors who have fallen out of compliance with the Academy Instructor Certification Program (AICP) requirements to re-qualify. The two paragraphs below (h)(2) are stated in 1009(c)(4)(C) and are being deleted as unnecessary.

(h) Requalification of Instructors

Any instructor, who fails to meet the triennial recertification requirement within the three-year period, may reestablish compliance as follows:

- (1) Attend and successfully complete the 24-hour IDI Level 2 (Intermediate) Core Course; or
(2) Complete an equivalency process as described in Regulation 1009(c)(4)(C).

Correction to Authority sited to added commas for style consistency.

Authority sited: Sections 13503, 13506, 13510, and 13510.5, Penal Code.
Reference: Section 13503, 13506, 13510, and 13510.5, Penal Code.

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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.

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 must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed, would be as effective, 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 provisions of the law.

Economic Impact Analysis

Impact of Jobs/New Business:

Because the Commission on Peace Officer Standards and Training sets selection and training standards for California law enforcement, the Commission has found that the proposed amendments to the regulations will have no direct impact on the creation or elimination of jobs or have an impact on new businesses within the State of California.

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.

Benefits of the Regulation:

The benefits of proposed amendments to the regulation will provide a method for instructors who have fallen out of compliance with the AICP requirement to re-qualify. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California.