

ADDENDUM - INITIAL STATEMENT OF REASONS

Amend Definitions, Requirements for Course Certification, Requirements for Self-Paced Training
Course Certification
Regulation 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, 1053. All proposed changes had been recommended by a committee of subject matter experts comprised of POST staff members who are directly employed to manage the POST program and are involved in the certification of training courses. Additionally, the proposed changes were vetted by training managers at law enforcement agencies throughout the State and the Instructor Standards Advisory Council established by POST. All justifications/reasons for change are depicted in bold font following each section or sections.

1001. Definitions

[1001 “Academy Coordinator” through 1001 “Lateral Entry” continued]

Reason: “Learning Activity” is added to this section because it is included in both Regulations 1052 and 1053 as a requirement for course certification. This definition is consistent with the learning activity definition in the Regular Basic Course Terminology.

[1001 “Legislatively mandated Training” to “Uniformed patrol duties”]

Reason: The definition of “Variable format” is added for clarity to this section because it is not in regulation and only found in the Electronic Data Interchange (EDI).

Reason: Reference section a comma is added before “and” to keep with format style.

1052. Requirements for Course Certification

Reason: Regulation 1052(a) the amendment to this paragraph is made to improve readability and clarity. Changes are non-substantive.

Reason: Regulation 1052(a)(1) is a non-substantive change made to improve readability and clarity.

Reason: Regulation 1052(a)(3) regarding expanded course outline to the third level of detail is moved from Regulation 1053(a)(4) as a required element to be submitted as part of a course certification request packet for instructor-led training. The expanded course outline to the third level of detail is deemed necessary to sufficiently indicate the technical information in the subject areas.

Reason: Regulation 1052(a)(3) is changed in format (numbering) only.

Reason: Regulation 1052(a)(5)-(6) is changed in format (numbering). Non-substantive change made for clarity.

Reason: Regulation 1052(a)(7)-(8) is changed in format (numbering) only.

Reason: Added Regulation 1052(9)(A)-(D) to ensure POST staff certifying courses are advised by the presenter of the different learning activities that will be utilized during the administration of a course certified by POST. POST needs to be aware of learning activities utilized as part of the course content as a means of ensuring that course adequately addresses the objectives of the course and that learning activities are presented in a safe manner.

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Reason: Regulation 1052(a)(10) is added as a required element to be submitted as part of a course certification request packet to ensure POST staff certifying training courses are made aware of the planned method of assessing student learning. Assessing student learning is necessary to ensure approved course content is effective and that the training need is met.

Reason: Regulation 1052(a)(11) is changed in format (numbering) and adds clarity that there must be staff available to not only administer the course, but to properly oversee the course.

Reason: Regulation 1052(a)(12) is a change in format (numbering) as well as changes made for clarity.

Reason: Regulation 1052(a)(13) is a change in format (numbering). Added "Projected course" and "and tuition per student" to clarify that the term cost references both types of costs.

Reason: Regulation 1052(a)(14) is a change in format (numbering) only.

Reason: Regulation 1052(a)(15) is a change in format (numbering). Added a reference to the *POST Guidelines for Student Safety for Certified Courses* as a resource for training presenters who are including provisions for student safety in their course certification request packet.

Reason: Old Regulation 1052(b) is deleted from Regulation 1052, as all reference to self-paced training course certification was moved to Regulation 1053.

Reason: Regulation 1052(b) and all subsections located within this regulation are removed from Regulation 1053 and included in Regulation 1052. The section pertains to instructor-led training course certification requests, including the instructor-led portion of a blended learning course, and clarifies that the course certification request is made through a submission to POST through the POST Electronic Data Interchange (EDI). The requirements for a course certification request listed in this section have been expanded upon to ensure that all required information pursuant to current practice is included in regulation. The section has been written to improve readability and clarity.

Reason: Regulation 1052(c) and all subsections located within this regulation is removed from Regulation 1053 and included in Regulation 1052. The section pertains to instructor-led training course certification. The language in the section is improved for clarity. The requirement for POST to review course certification requests within 14 days is removed from the regulation because the requirement for POST to render a decision to approve or disapprove certification of the course within 60 calendar days was deemed a sufficient timeline and remained in the regulation.

Reason: Regulation 1052(d) is removed from Regulation 1053 and included in this regulation with changes made for clarity. The title of the section was changed from "Changes to Course Certification" to "Modifications to Course Certification" because the term "Modifications" is the actual term utilized in the POST Electronic Data Interchange (EDI). A requirement is added that all requests for course modifications be submitted to POST a minimum of 30 days in advance of a course presentation to ensure that POST has an opportunity to approve the modification prior to its implementation. This section also clarifies that all course modification requests should be made through the EDI.

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Reason: Regulation 1052(e) through (e)(1)-(2) Due to advances in technology utilized for law enforcement training, Regulation 1052(e) added live webinars as a type of instructor-led course and added the requirements for submission of a webinar for certification. The regulation requires the training course presenter to confirm student attendance and completion of the course and requires methods for student-instructor interaction. An assessment activity to verify student learning is also listed as a requirement. The section prohibits the certification of taped webinars.

Reason: Regulation 1052(f) is a non-substantive change to formatting (lettering).

Reason: Regulation 1052(f)(1) is amended to clarify that the academy director is ultimately responsible for academy performance and is the primary point of contact to POST.

Reason: Regulation 1052(f)(1)(A)2. the term “remediation” is changed to “remedial training” for clarification purposes to note that remediation is actually training to correct or improve a student’s skill.

Reason: Regulation 1052(f)(1)(A)6. is added to further clarify that academy management and accountability includes ensuring that certification compliance is monitored during instructional hours.

Reason: Regulation 1052(f)(2)(A)2. the term “remediation methods” is changed to “remedial training” for clarification purposes to note that remediation is actually training to correct or improve a student’s skill.

Reason: Regulation 1052(f)(2)(A)3.- 4. are non-substantive changes involving grammar.

Reason: Regulation 1052(f)(2)(A)5. is added to regulation to specify that the academy coordinator is responsible for supervising academy operations and ensuring certification compliance in the absence of the academy director.

Reason: Regulation 1052(f)(3) is added to clarify that in a Modular Format that is not an academy, the coordinator is responsible for course performance and is the primary point of contact for POST.

Reason: Regulation 1052(f)(3)(A)1.-6. the term “remediation methods” is changed to “remedial training” for clarification purposes and non-substantive changes involving grammar.

Reason: Regulation 1052(f)(3)(A)7. is added to clarify that supervision responsibilities includes monitoring the course for certification compliance.

Reason: Old Regulation 1052(f)(4)-(5) is deleted as redundant.

Reason: New Regulation 1052(f)(4)-(5) are non-substantive changes involving format (numbering) and grammar (added comma).

Reason: Regulation 1052(f)(5)(A)3. is to add “mentoring” of trainees as a responsibility of a recruit training officer. Mentoring by recruit training officer is an essential element of preparing new trainees for their eventual assignment into the law enforcement profession.

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Reason: Regulation 1052(f)(6) is a non-substantive change involving format (numbering).

Reason: Regulation 1052(f)(6)(A) is a non-substantive grammatical change, adding commas.

Reason: Regulation 1052(f)(7)-(8) is a non-substantive change involving format (numbering).

Reason: Regulation 1052(f)(9)-(10) is a non-substantive change involving format (numbering). The word “presenter” is added back as not redundant since academy and presenter can be two different entities.

Reason: Regulation 1052(f)(11) is a non-substantive format change (numbering).

Reason: Regulation 1052(d) is a redundant section and is deleted because it is included previously in Regulation 1052(a)(1).

Reason: Regulation 1052(g) has non-substantive format changes (numbering) and grammatical change for consistency in format style.

Reason: Old Regulation 1052(f) is deleted because it has been moved to 1052(j). Old Regulation 1052(f)(1) has been deleted because it has been moved to 1052(j)(2). Old Regulation 1052(f)(2) has been deleted because it has been moved to 1052(j)(1).

Reason: Old Regulation 1052(g) has been deleted as obsolete.

Reason: Regulation 1052(i) is changed for clarity. The term “publically broadcast material” was added because of its accessibility via the internet and other forms of publically available material. The reference to “POST Guidelines for Reviewing Audio-Visual Training Materials,” was removed because it is a publication that is no longer in existence.

Reason: Regulation 1052(i)(1) is revised to include web-based materials as approved audio-visual training materials because advances in technology since the original development of this regulation have made web-based material more accessible and a tool available for training. Deleted “Classroom hand out materials are not included” from the section because such items might in fact be included.

Reason: Regulation 1052(i)(2-4) is deleted as obsolete.

Reason: Regulations 1052(j)-(l) are new sections to Regulation 1052 that address the process for certification of conferences. Previously there was no regulation specifying how to prepare a certification package for single-track (training delivered to attendees at one time), or multi-track workshops (attendees select individual workshops). These sections have been added to include current practice regarding the certification of conferences into regulation.

Reason: Regulations 1052(m) and 1052(n) are new sections to Regulation 1052 that address the process regarding POST symposiums that are designed to disseminate information or address current issues encountered by law enforcement. Reimbursement policy by POST for attendance at

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POST symposiums is addressed as well. Added the fact that POST will only endorse or co-sponsor courses, seminars, or conferences when POST has been involved in planning and developing the event, subject matter or program, and in selecting speakers or instructors. The sections have been added to include current practice into regulation.

Authority cited: Section 13503 and 13506, Penal Code. Reference: Section 13503(e), Penal Code.

Reason: All of old Regulation 1053 is deleted due to a complete re-write of the regulation.

1053. Requirements for Self-paced Training Course Certification

Reason: The title of Regulation 1053 is changed from “Course Certification Request and Review Process” to “Requirements for Self-paced Training Course Certification”. This change is consistent with POST’s intention to provide in regulation course certification requirements separately in regard to instructor-led training course certification, as opposed to self-paced training course certification.

Reason: Regulation 1053(a) is newly-developed and addresses the self-paced training course certification review process. The newly-developed requirements pertaining to self-paced training course certification requires any presenter of such a course to first contact the POST Training Delivery and Compliance (TDC) Bureau to determine the need for a particular course. Once a need has been established, the presenter will send the course certification packet to the TDC Bureau to determine completeness. Once it is determined that the packet is complete, it will be sent to the POST Learning Technology Resources Bureau for review of the instructional design and technical functionality. The regulation then addresses the approval and non-approval of the course and the process of appeal if the presenter is not satisfied with the decision made regarding course certification.

Reason: Regulation 1053(b)(1)-(10) is moved from Regulation 1052(b) and based on the recommendations of subject matter experts was significantly expanded upon to include enhanced, comprehensive requirements related to self-paced training course certification criteria for courses that are submitted to POST for review. Included in the requirements for a self-paced training course certification request is a requirement to list learning activities, evaluation activities, and the qualifications of subject matter experts. POST needs to be aware of learning activities utilized as part of the course content as a means of ensuring that course adequately addresses the objectives of the course. Evaluation activities are deemed essential to ensure the objectives of the course are being met. Qualifications of subject matter experts must be verified to ensure appropriate expertise related to the course is utilized in developing course curriculum.

Reason: Regulation 1053(c)(1)-(4) addresses the requirements for the self-paced training course certification package, including what is required on the *Self-Paced Training Course Certification Request* (POST 2-124). This form has been revised for clarity, to conform to current practice and is incorporated by reference. Other requirements include an expanded course outline, a newly-developed matrix, and a newly-developed *Self-paced Training Subject-Matter Expert Resume* (POST 2-121). The matrix was developed to assist with ensuring that training objectives are addressed by learning activities.

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Reason: Regulation 1053(d) specifically requires POST approval of any changes to a self-paced training course previously certified by POST to ensure that original training needs are still being met even after course modification.

Reason: Regulation 1053(e) references Regulation 1057 in regard to the POST authority for decertification of a course.

Note: Authority cited: Sections 13503 and 13506, Penal Code. Reference: Section 13503(e), Penal Code

Commission Procedure D-1, Basic Training

Reason: Commission Procedure D-1-3(a)(4) to be consistent with the definition of *Learning Activity* in Regulation 1001, adds back “, but unlike tests, learning activities are not graded on a pass/fail basis.” as a non substantive change. It was previously deleted in error.

Reason: Commission Procedure D-1-4(a)(4) to be consistent with the definition of *Learning Activity* in Regulation 1001, adds back “, but unlike tests, learning activities are not graded on a pass/fail basis.” as a non substantive change. It was previously deleted in error.

Reason: Commission Procedure D-1-7(a)(4) to be consistent with the definition of *Learning Activity* in Regulation 1001, adds back “, but unlike tests, learning activities are not graded on a pass/fail basis.” as a non substantive change. It was previously deleted in error.

Justifications for Revisions to Forms

Attachment B-1

SELF-PACED TRAINING COURSE CERTIFICATION REQUEST, POST 2-124 (Rev 03/2015)

NOTE: Attachment B-1 with a “Revised” watermark may be compared to Attachment B-2 with “Original” watermark, form date (8/26/06) which is being replaced.

Attachment B-1 has been completely revised to meet the new requirements of Regulation 1053, as follows.

Revision Date has been updated in the form’s header to 03/2015 from 8/26/06.

Added “SAVE, RESET, and PRINT” links at top of form to establish an electronic version of the form.

Added Instructions 1-5 to top section of form.

Divided the form into three distinct sections, identified as, and “Section 3. Authorization and Signature”. Each section has several boxes that require information mandated by Regulation 1053.

“Section 1. Presenter Information/Course Justification”

Box 1 requires “Course Presenter/Agency” information in compliance with Regulation 1053(c)(1)(A).

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Box 2 requires “Date of Request”.

Box 3 requires “Course Developer (if different than Presenter/Agency)” information in compliance with Regulation 1053(c)(1)(B).

Box 4 requires “Justification” information in compliance with Regulation 1053(c)(1)(C).

Box 5 requires “Is this Course Mandated?” information in compliance with Regulation(c)(1)(D).

Box 6 requires “Complete Course Title”.

“Section 2. Course Description”

Box 7 requires “Proposed CPT Hours” information (in relation to Continued Professional Training) in compliance with Regulation 1053(c)(1)(E).

Box 8 requires “Estimated Completion Time (in hours)” information in compliance with Regulation 1053(c)(1)(F).

Box 9 requires “Cost Per Student” information in compliance with Regulation 1053(c)(1)(G).

Box 10 (in Section 2) requires “Course Level” information in compliance with Regulation 1053(c)(1)(H).

Box 11 requires “Briefly Describe the Target Audience” information in compliance with Regulation 1053(c)(1)(I).

Box 12 requires “Identify any Prerequisites or Specific Experience Needed for This Course” information in compliance with Regulation 1053(c)(1)(J).

Box 13 requires “Describe Course” information in compliance with Regulation 1053(c)(1)(K).

Box 14 requires “Course URL (Complete web address)” information in compliance with Regulation 1053(c)(1)(L).

Box 15 requires “Security Access if Needed (password, etc.)”.

Box 16 requires “List any Additional Materials Needed (e.g. Training Tools, support materials, media, etc.)” in compliance with Regulation 1053(c)(1)(M).

Added a section below Box 16 that requires the Expanded Course Outline, Matrix, and Subject Matter Expert Resume (POST 2-121) be attached to the Self-Paced Training Course Certification Request form in compliance with Regulation 1053(c)(2-4).

“Section 3. Authorization and Signature”

Boxes 17, 18, 19, and 20 (in Section 3) requires “Submitted by”, “Signature”, “Contact Number”, and “E-Mail Address” information pertaining to authorization for submission of the form in compliance with Regulation 1053(c)(1)(N).

Revised “POST USE ONLY” box at the bottom of the form for clarity and to ensure compliance with current practice and regulation.

Attachment C

SELF-PACED TRAINING SUBJECT-MATTER EXPERT RESUME, POST 2-121 (03/2015)

NOTE: Attachment C, distinguished by a “New Form” watermark, is in compliance with Regulation 1053(c)(4) which requires this form to be attached to form POST 2-124.

The course presenter shall submit a resume (POST 2-121) for each subject-matter expert who participated in the development of the content for the course. If the course topic is defined in POST Regulation 1070 as requiring specific training for the instructor (POST Regulation 1082) at least one of the subject-matter experts must meet this requirement. Attestation of this qualification must be reflected on his/her resume in the form of the course presenter’s signature.

Includes “SAVE, RESET and PRINT” links at top of form to establish an electronic version of the form.

Includes clear instructions which require form POST 2-121 for each SME and for the form(s) to be attached to *Self-Paced Training Course Certification Request, POST 2-124.*

Self-Paced Training Subject Matter Expert Resume form is divided into four Sections identified as follows.

“Section 1. Course and Subject Matter Expert Information”.

Box 1 requires “Course Title”.

Box 2 requires “Course Developer”.

Box 3 requires “SME (Subject Matter Expert) Name”.

Box 4 requires “Current Occupation”.

Box 5 requires “Current employer (primary)”

Box 6 requires “Business Mailing Address”.

Box 7 requires “Country (if outside U.S.).

Box 8 requires “Zip/Mail Code”.

Box 9 requires “Contact Number”.

Box 10 requires “Business Email Address”.

“Section 2. Subject Matter Expert Education and Background” shows the qualifications.

Box 11 requires “Highest Degree Obtained”.

Box 12 requires “Yr (Year) Obtained”.

Box 13 requires “Major”.

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Box 14 requires "Education/Teaching Credential (yes or no)".

Box 15 requires "College/University Name Granting Degree".

Box 16 requires "City".

Box 17 requires "State".

Box 18 requires "List Professional License(s) or Certificate(s)".

Box 19 requires "List Law Enforcement or Other Experience Including Any Directly Related to Course Topic".

Box 20 requires "No. (number) of Years" specifically related to the information contained in Box 19.

"Section 3. "Subject Matter Expert Development Training".

Box 21 requires "List the training the SME has received which is specific to this course. If the course topic is defined in POST Regulation 1070 (Minimum Training Standards for Instructors of POST-Certified Specialized Training), at least one of the SME's MUST meet this requirement. List the training taken below and check the box for 1070(b) or 1070(c) as appropriate." This box requires that the information listed includes the course title, POST Course Control Number (if the course is POST-certified), total hours, date completed, and reference to whether or not the course listed meets a Regulation 1070 requirement.

Section 4. "Presenter Attestation".

Box 22 (in Section 4) requests "Required Signature" who attests the information provided in the form is true and accurate along with the date.

Attachment D

Self-Paced Training Course Developer Resume, POST 2-125 (Rev 12/2012)

NOTE: Attachment D (*Self-Paced Training Course Developer Resume*, POST 1-125) is distinguished by a "Deleted" watermark. The form is obsolete pursuant to the complete revision of Regulation 1053 and has been deleted.

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

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

Impact of Jobs/New Business:

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.

Assessment:

The adoption of the proposed amendments to the regulation will neither create nor eliminate jobs in the State of California. This will not result in the elimination, creation, or expansion of new or existing businesses in the State of California.

Benefits of the Regulation:

The benefits of proposed amendments to the regulation will be to ensure that training courses certified by POST meet a specific training need and that the course content presented to POST for certification addresses that specific training need. The amendments also serve to alleviate confusion regarding the different requirements pertaining to instructor-led training course certification and those pertaining to self-paced training course certification. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California.