

TEXT OF PROPOSED REGULATORY ACTION
REQUALI REGULATIONS 1001, 1005, 1008
BASIC COURSE REQUALIFICATION AND BASIC COURSE WAIVER REQUIREMENTS

CURRENT COMMISSION REGULATION 1008: BASIC COURSE WAIVER AND
REQUALIFICATION REQUIREMENT, PROCEDURE D-10: REQUALIFICATION COURSE,
AND PROCEDURE D-11: BASIC COURSE WAIVER PROCESS

~~§ 1008. Basic Course Waiver and Requalification Requirement.~~

~~(a) Basic Course Waiver~~

~~(1) An individual who has completed training comparable to a POST-certified Regular Basic Course or Specialized Investigators' Basic Course may request a waiver of the basic course training requirement specified in Regulations 1005(a) or 1007(a). The application, evaluation, and testing processes are described in PAM Section D-11, Basic Course Waiver Process.~~

~~(A) A basic course waiver is valid for three years from the date it was granted. After three years, the requirements for requalification apply as specified in subsection 1008(b).~~

~~(B) A waiver of the Regular Basic Course training requirement will also satisfy the Specialized~~

~~Investigators' Basic Course training requirement. However, a waiver of the Specialized Investigators' Basic Course training requirement does not satisfy the Regular Basic Course training requirement.~~

~~(b) Requalification Requirement for the Regular Basic Course – Standard Format and the Specialized Investigators' Basic Course~~

~~(1) Three-Year Requalification~~

~~Requirement Requalification is required for any individual who seeks appointment or reappointment to a position for which the Regular Basic Course (RBC) or the Specialized Investigators' Basic Course (SIBC) is required as the minimum training standard [refer to Regulations 1005(a) or 1007(a)] when the individual:~~

~~(A) Has previously served in a California peace officer/Level I reserve officer position with qualifying service* and has:~~

- ~~1. Successfully completed a POST-certified Regular Basic Course or Specialized Investigators' Basic Course, or~~
- ~~2. Been awarded a POST Basic Certificate or Specialized Basic Certificate, or~~
- ~~3. Been granted a waiver of the Regular Basic Course or Specialized Investigators' Basic Course in accordance with subsection 1008(a), but subsequently has a three-year-or-longer break from the last date of qualifying service*.~~

~~OR~~

~~(B) Has NOT previously served in a California peace officer/Level I reserve officer position with qualifying service* and has:~~

- ~~1. Successfully completed a POST-certified Regular Basic Course or Specialized Investigators' Basic Course, or~~

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~~2. Been granted a waiver of the Regular Basic Course or Specialized Investigators' Basic Course in accordance with Regulation 1008(a), but subsequently has a three-year or longer break from the last date of successful completion of the Regular Basic Course or Specialized Investigators' Basic Course, or from the date the basic course waiver was granted, whichever is most recent. For the Six-Year Exception [refer to subsection 1008(b)(2)(B)1.].~~

~~*Qualifying service is defined as serving in a California peace officer/Level I reserve officer position for which a POST-certified Regular Basic Course or Specialized Investigators' Basic Course was required by law. Service as a Level I reserve officer will be considered only for a Level I reserve who serves an average monthly minimum of 16 hours.~~

~~(2) Requalification Methods~~

~~When requalification is required, as determined above, it must be achieved before an individual may exercise peace officer powers. Upon successful requalification the individual is eligible, for up to three years, to be appointed or reappointed as a California peace officer/Level I reserve officer. The provisions and means for requalification are as follows:~~

~~(A) Repeating and successfully completing the appropriate basic course (RBC or SIBC) or~~

~~(B) Successfully completing the POST-certified Requalification Course, (PAM Section D-10-2).~~

~~1. Six-Year Exception~~

~~An individual who successfully completed a Regular Basic Course, Specialized Investigators' Basic Course or the Basic Course Waiver Process on or after July 1, 1999, but who never served in a California peace officer/Level I reserve officer position for which a Regular or Specialized Investigators' Basic Course is required, may requalify by successfully completing a POST-certified Requalification Course one time within six years from the date of basic course or waiver process completion. After six years, an individual must successfully complete the appropriate basic course (RBC or SIBC) to requalify, regardless of when the Requalification Course was completed.~~

~~(C) Successfully completing a POST-approved alternative job-related requalification procedure conducted by a presenter of a POST-certified Regular Basic Course. The individual 1) must have previously satisfied the Regular Basic Course training requirement; 2) is for the first time obtaining law enforcement employment after a three-year or longer break since successful completion of the Regular Basic Course; and 3) the individual's department has obtained prior written approval from POST for the use of an alternative procedure and verifies that the individual is currently proficient and meets or exceeds minimum performance standards established by the Commission.~~

~~(3) Exemptions~~

~~An exemption of the requalification requirement may be granted by the Executive Director or the Commission as follows:~~

~~(A) The Executive Director may grant an exemption for an individual who possesses a POST Basic Certificate and is returning to law enforcement after a three-year or longer break in service; and~~

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~~1. Is re-entering law enforcement in a middle management or executive rank and will function at~~

~~the second-level of supervision or above; or~~

~~2. Has been, with no longer than a 60-day break in service between law enforcement employers as a regular peace officer, employed continuously in another state as a full-time regular peace officer; or~~

~~3. The individual's employment, training, and education during the break in service provides assurance, as determined by POST, that the individual is currently proficient; or~~

~~4. Is re-entering law enforcement in a permanent or light duty assignment not involving general law enforcement duties if attested to in writing by the agency chief executive.~~

~~The prospective hiring agency seeking an exemption for an individual who meets the criteria outlined in paragraph 1., 2., 3., or 4. shall submit a letter to the Executive Director that includes: 1) reason for the request; 2) description of the intended job classification and duty assignments; and 3) documentation of prior employment, training and education, and the dates completed as it applies to the criteria outlined in subsection 1008(b)(3)(A)(1-4).~~

~~Any exemption granted by the Executive Director is specific to the agency making the request and is for the position described in the request.~~

~~(B) The Commission may, in response to a written request or on its own motion, upon a showing of good cause and based upon an individual's employment, proficiency, training, and education, exempt an individual from completion of the basic course requalification requirement. The individual shall: 1) have satisfied the Regular Basic Course training requirement; 2) become reemployed as a peace officer after a three-year or longer break in service; and 3) not be described or included in subsection 1008(b)(3)(A)(1-5.).~~

~~(4) Jail Deputy Exemption~~

~~An individual who successfully completed a Regular Basic Course or the Basic Course Waiver Process on or after January 1, 2013 and has been appointed as a jail deputy [Penal Code section 830.1(c)], but has not previously served in a California peace officer/Level I reserve officer position with qualifying service* is eligible for an exemption of the requalification requirement.~~

~~(A) The individual shall have:~~

~~1. Been continuously employed as a jail deputy with the same agency~~

~~2. Maintained ongoing Perishable Skills training as specified by POST as provided in Section 1005(d)(4), and~~

~~3. Been appointed as a deputy sheriff [Penal Code section 830.1(a)] within five years of the date of completion of the Regular Basic Course or the Basic Course Waiver.~~

~~(B) Documentation of Exemption~~

~~1. Written documentation determined by the department head as satisfying the exemption listed in Subsection 1008(b)(4)(A) above shall be retained by the employing agency for at~~

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least the duration of the individual's employment with the department. This retention period is required so that the employing agency can provide supporting documentation of the exemption, if it is requested during a POST inspection.

NOTE: This Subsection 1008(b)(4) shall remain in effect only until January 1, 2019 [Penal Code Section 832.3(i)].

~~(c) Requalification Requirement for the Regular Basic Course – Modular Format, Module III~~

~~(1) Three-Year Requalification Requirement~~

~~Requalification is required for any individual who seeks appointment or reappointment to a position for which Module III of the Regular Basic Course – Modular Format is required as the minimum training standard [refer to Regulation 1007(a)] when the individual:~~

~~(A) Has previously served in a California Level III reserve peace officer position and has:~~

~~1. Successfully completed a POST-certified Module III*, but subsequently has a three-year or longer break from the last date of service.~~

~~OR~~

~~(B) Has NOT previously served in a California Level III reserve peace officer position and has:~~

~~1. Successfully completed a POST-certified Module III*, but subsequently has a three-year or longer break from the last date of successful completion of Module III.~~

~~* Prior successful completion of the Two-Part Level III Module or the single component Level III Module meets the requirements of Module III.~~

~~(2) Requalification Methods~~

~~When requalification is required, as determined above, it must be achieved before an individual may exercise peace officer powers. Upon successful requalification the individual is eligible, for up to three years, to be appointed or reappointed as a California Level III reserve peace officer. The provisions and means for requalification are as follows:~~

~~(A) Repeating and successfully completing Module III or~~

~~(B) Demonstrating continued mastery of Module III training material by passing the POST~~

~~Constructed Comprehensive End-of-Course Module III Test, the PC 832 Course Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test. This can be accomplished through the completion of the Module III Requalification Testing Process [for eligibility refer to subsection 1008(c)(3)].~~

~~1. Six-Year Exception~~

~~An individual who successfully completed Module III on or after July 1, 2008, but who never served in a California Level III reserve peace officer position, may requalify by successfully completing the Module III Requalification Testing Process one time within six years from the date of completion of Module III. After six years, an individual must successfully complete~~

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Module III to requalify, regardless of when the Requalification Testing Process was
completed.

~~(3) Eligibility for the Module III Requalification Testing Process~~

~~Only individuals who have previously completed a POST-certified Module III are eligible to participate in the Module III Requalification Testing Process.~~

~~(A) Individuals seeking to be tested shall receive written notification from the presenter regarding eligibility to be tested within 30 days of receipt by the presenter of all documentation required in subsections 1008(c)(4)(A).~~

~~(B) Individuals receiving notification that they are ineligible to be tested shall be given an explanation for ineligibility. An individual may submit a new request with the additional documentation, which will be processed according to subsection 1008(c)(4)(A). POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable testing fees will be returned with the notification to those individuals who are determined, either by the presenter or by POST, to be ineligible for testing.~~

~~(4) Module III Requalification Testing Process~~

~~(A) Application~~

~~An individual seeking to requalify Module III training through the testing process shall submit a written request to a POST-approved Module III Requalification Testing Presenter that includes:~~

- ~~1. The individual's full name, mailing address, daytime phone number, and POST-identification number;~~
- ~~2. A copy of the individual's POST Profile or other verifiable documentation showing prior successful completion of Module III. This documentation shall include the individual's name, the name of the presenting institution, the number of hours completed, and the ending date of the training;~~
- ~~3. A certified check or money order payable to the presenter (refer to subsection 1008(c)(4)(B) for fees);~~
- ~~4. A criminal history clearance from the Department of Justice.*~~

~~*All requests to test for the firearms component from applicants who are not sponsored by a local or other law enforcement agency, or who are not peace officers employed by a state or local agency, department or district, shall include a criminal history clearance in compliance with Penal Code 13511.5 prior to admission to firearms testing. No firearms testing shall be administered to any applicant prior to receipt of the Department of Justice criminal history clearance form.~~

~~(B) Testing Fees~~

~~POST-approved Module III Requalification testing presenters are authorized to charge fees for the administration of the POST-Constructed Comprehensive Module III Test, the PC 832-Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test. In addition to the~~

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~~initial testing fees, the presenter may charge fees for retesting. Failure to appear for requalification testing or retesting may result in forfeiture of those fee(s). Fees may vary by presenter. Fees shall not exceed actual test administration costs and are subject to POST audit.~~

~~(C) Requirements for Administering the Requalification Tests~~

~~Only POST-approved/authorized course presenters who have received training in the administration of the Requalification Tests and who agree to abide by the terms of a formal POST test use and security agreement shall administer and score the tests. All tests shall be~~

~~administered and scored in accordance with the specified procedures listed below using POST minimum passing scores.~~

- ~~1. All requalification applicants shall be tested at a POST-approved location within 90 days of notification of eligibility to take the requalification tests.~~
- ~~2. At least 30 days in advance of testing, eligible requalification applicants shall be notified as to the specific date, time, and location of testing.~~
- ~~3. Individuals desiring to be tested after failure to appear for a scheduled requalification test must reestablish eligibility to be tested by completing the requirements described in Regulation 1008(c)(4)(A).~~
- ~~4. All test results shall be mailed to POST by the test administrator, postmarked within five working days of the date of testing.~~
- ~~5. The presenter shall notify all individuals in writing as to test results, postmarked within five working days of requalification test completion. The presenter shall also issue a completion certificate within five working days showing that the individual successfully completed the Module III Requalification Testing Process.~~
- ~~6. The presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the Module III Requalification Testing Process.~~

~~(D) Requalification Retesting~~

~~One requalification retest shall be permitted for any initial test failed, contingent upon advance payment of applicable testing fees [refer to subsection 1008(c)(4)(B)]. Such retesting must occur within 90 days of the requalification initial test. For firearms and arrest and control exercise tests, individuals will have the option of either retesting immediately or within 90 days. All required tests must be passed to complete the Module III Requalification Testing Process.~~

- ~~1. Individuals who fail to achieve a passing score on the requalification retest or who fail to appear for requalification retesting, shall be required to successfully complete Module III training in order to meet the Module III requalification requirements.~~

~~(d) Requalification Requirement for the Regular Basic Course – Modular Format, Module II~~

- ~~(1) Three-Year Requalification Requirement~~

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Requalification is required for any individual who seeks appointment or reappointment to a position for which Module II of the Regular Basic Course – Modular Format is required as the minimum training standard [refer to Regulation 1007(a)] when the individual:

(A) Has previously served in a California Level II reserve peace officer position and has:

1. Successfully completed a POST-certified Module III and Module II, but subsequently has a three-year or longer break from the last date of service.

OR

(B) Has NOT previously served in a California Level II reserve peace officer position and has: 1. Successfully completed a POST-certified Module III and Module II, but subsequently has a

three-year or longer break from the last date of successful completion of Module II.

(2) Requalification Methods

When requalification is required, as determined above, it must be achieved before an individual may exercise peace officer powers. Upon successful requalification the individual is eligible, for up to three years, to be appointed or reappointed as a California Level II reserve peace officer.

The provisions and means for requalification are as follows:

(A) Repeating and successfully completing Module II or

(B) Demonstrating continued mastery of Module II training material by passing the POST

Constructed Comprehensive End-of-Course Module II Test, the PC 832 Course Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test. This can be accomplished through the completion of the Module II Requalification Testing Process [for eligibility refer to subsection 1008(d)(3)].

1. Six-Year Exception

An individual who successfully completed Module II on or after July 1, 2008, but who never served in a California Level II reserve peace officer position, may requalify by successfully completing the Module II Requalification Testing Process one time within six years from the date of completion of Module II. After six years, an individual must successfully complete Module II to requalify, regardless of when the Requalification Testing Process was completed.

(3) Eligibility for the Module II Requalification Testing Process

Only individuals who have previously completed POST-certified Modules III and II are eligible to participate in the Module II Requalification Testing Process.

(A) Individuals seeking to be tested shall receive written notification from the presenter regarding eligibility to be tested within 30 days of receipt by the presenter of all documentation required in subsections 1008(d)(4)(A).

(B) Individuals receiving notification that they are ineligible to be tested shall be given an

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~~explanation for ineligibility. An individual may submit a new request with the additional documentation which will be processed according to subsection 1008(d)(4)(A). POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable testing fees will be returned, with the notification, to those individuals who are determined, either by the presenter or by POST, to be ineligible for testing.~~

~~(4) Module II Requalification Testing Process~~

~~(A) Application~~

~~An individual seeking to requalify Module II training through the testing process shall submit a written request to a POST-approved Module II Requalification Testing Presenter that includes:~~

- ~~1. The individual's full name, mailing address, daytime phone number, and POST identification number;~~
- ~~2. A copy of the individual's POST Profile or other verifiable documentation showing prior successful completion of Module III and Module II. This documentation shall include the individual's name, the name of the presenting institution, the number of hours completed, and the ending date of the training;~~
- ~~3. A certified check or money order payable to the presenter (refer to subsection 1008(d)(4)(B) for fees);~~
- ~~4. A criminal history clearance from the Department of Justice.*~~

~~*All requests to test for the firearms component from applicants who are not sponsored by a local or other law enforcement agency, or who are not peace officers employed by a state or local agency, department or district, shall include a criminal history clearance in compliance with Penal Code section 13511.5 prior to admission to firearms testing. No firearms testing shall be administered to any applicant prior to receipt of the Department of Justice criminal history clearance form.~~

~~(B) Testing Fees~~

~~POST-approved Module II Requalification Testing presenters are authorized to charge fees for the administration of the POST-Constructed Comprehensive Module II Test, the PC 832 Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test. In addition to the initial testing fees, the presenter may charge fees for retesting. Failure to appear for requalification testing or retesting may result in forfeiture of those fee(s). Fees may vary by presenter. Fees shall not exceed actual test administration costs and are subject to POST audit.~~

~~(C) Requirements for Administering the Requalification Tests~~

~~Only POST-approved/authorized course presenters who have received training in the administration of the Requalification Tests and who agree to abide by the terms of a formal POST test use and security agreement shall administer and score the tests. All tests shall be administered and scored in accordance with the specified procedures listed below using POST minimum passing scores.~~

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- ~~1. All requalification applicants shall be tested at a POST-approved location within 90 days of notification of eligibility to take the requalification tests.~~
- ~~2. At least 30 days in advance of testing, eligible requalification applicants shall be notified as to the specific date, time, and location of testing.~~
- ~~3. Individuals desiring to be tested after failure to appear for a scheduled requalification test must reestablish eligibility to be tested by completing the requirements described in Regulation 1008(d)(4)(A).~~
- ~~4. All test results shall be mailed to POST by the test administrator, postmarked within five working days of the date of testing.~~
- ~~5. The presenter shall notify all individuals in writing as to test results, postmarked within five working days of requalification testing completion. The presenter shall also issue a completion certificate within five working days showing that the individual successfully completed the Module II Requalification Testing Process.~~
- ~~6. The presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the Module II Requalification Testing Process.~~

~~(D) Requalification Retesting~~

~~One requalification retest shall be permitted for any initial test failed, contingent upon advance payment of applicable testing fees [refer to subsection 1008(d)(4)(B)]. Such retesting must occur within 90 days of the initial requalification test. For firearms and arrest and control exercise tests, individuals will have the option of either retesting immediately or within 90 days. All required tests must be passed to complete the Module II Requalification Testing Process.~~

- ~~1. Individuals who fail to achieve a passing score on the requalification retest, or who fail to appear for requalification retesting, shall be required to successfully complete Module II training in order to meet the Module II requalification requirements.~~

~~(e) Requalification Requirement for the Regular Basic Course – Modular Format, Module I~~

~~(1) Individuals who have successfully competed Modules III, II, and I, have met the requirements of the Regular Basic Course. The requalification requirements specified for the Regular Basic Course [refer to subsection 1008(b)] also apply to Module I.~~

Procedure D-10: Requalification Course

Purpose

10-1. Requalification Course

This Commission procedure implements the training, testing, and hourly requirements for the Requalification Course as required in Regulation 1008(b).

Basic Course Requalification Process and Requirements

10-2. Requalification Course Terminology and Requirements

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~~The terms related to the Requalification Course and included in the Training and Testing Specifications for Peace Officer Basic Courses are defined in section D-10-2(a). Requirements for reporting successful course completion are contained in Commission Regulation 1055(g). (a) Requalification Course Terminology~~

~~(1) Learning Domain~~

~~An instructional unit that covers related subject matter. Training specifications for each learning domain include learning needs, learning objectives, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.~~

~~(2) Learning Need~~

~~A general statement justifying the training for a specific learning domain.~~

~~(3) Learning Objective~~

~~A statement that describes an expected training outcome related to a learning need.~~

~~(4) Learning Activity~~

~~A learning activity is a facilitated, performance-based component of instruction. Learning~~

~~activities are student-focused, and require the learner to be actively involved in structured work designed to enhance the acquisition of knowledge, skills, or competencies. The use of learning activities is consistent with principles of adult learning. Learning activities are integrated into the delivery of instruction as a means of reinforcing taught concepts, introducing relevant topics, or to enhance student retention necessary to achieve competence as a peace officer. Students participating in a learning activity may be coached or provided feedback. Unlike tests, learning activities are not graded. (5) Test~~

~~An evaluation of the extent to which students have satisfied one or more learning objectives. The required tests are specified in the Training and Testing Specifications for Peace Officer Basic Courses. Two types of tests are used in the Requalification Course:~~

~~(A) POST-Constructed Comprehensive Test~~

~~A POST-constructed test that measures acquisition of knowledge on multiple learning objectives.~~

~~(B) Exercise Test~~

~~Any test other than a POST-constructed comprehensive test that measures the acquisition of knowledge and/or skills or the competencies required to achieve one or more learning objectives.~~

~~(6) Test Use and Security Agreement~~

~~An accepted agreement between a training presenter and POST that identifies the terms and conditions under which a presenter may acquire and use specific POST-constructed comprehensive and exercise tests. Failure to comply with the terms and conditions of such agreement is grounds for decertification in accordance with Commission Regulation 1057.~~

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(7) Test Administration and Security Policy

~~Written procedures established by each presenter as specified in the POST Basic Courses Test Management and Security Protocols. In accordance with Regulation 1057, the failure to establish written procedures consistent with and/or to comply with the requirements of these protocols is grounds for decertification.~~

(8) Remedial Training

~~A period of time in which the presenter provides specific instruction to reinforce the required concepts and/or skills after a student has failed an initial test.~~

(b) Single Presenter

~~Each course presentation shall be completed under the sponsorship of one presenter unless POST has approved a contractual agreement for multiple presenters to deliver the training.~~

(c) Minimum Standards

~~POST has established minimum, statewide training standards for the Requalification Course. Presenters may not exceed the minimum standards without prior approval from POST.~~

(d) Requalification Course — Eligibility, Training, Testing, and Hourly Requirements

~~The eligibility, training, testing, and hourly requirements in this section apply to the Requalification Course.~~

(1) Eligibility

~~Presenters of the Requalification Course shall require proof, to the training presenter's satisfaction, that the applicant is eligible to enroll in the course based on the requirements specified in Regulation 1008(b) or Section D-11-6(d).~~

(2) Training Requirements

~~Presenters shall provide instruction for the Requalification Course as follows:~~

(A) Learning Objectives

~~Presenters shall provide instruction on all learning objectives specified for the Requalification Course in the Training and Testing Specifications for Peace Officer Basic Courses.~~

(B) Learning Activities

~~Where a learning activity is required by the Training and Testing Specifications for Peace Officer Basic Courses, presenters shall require each student to participate in that activity. A student who does not participate in a learning activity when given the opportunity fails the course unless the presenter determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or comparable activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the course.~~

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(C) Remedial Training

~~Specific instruction provided to reinforce the required concepts and/or skills after a student has failed an initial test. Each presenter will determine the content and the amount of time required for remedial training. Remedial training shall be provided independent of the retest.~~

~~(3) Testing Requirements~~

~~The tests listed below are graded on a pass/fail basis unless specified otherwise.~~

~~Requalification Course presenters shall test all students as specified in the Training and Testing Specifications for Peace Officer Basic Courses. For the learning domain(s) being assessed in a particular test, refer to the "Minimum Content Hourly Requirements" page for the Requalification Course in the Training and Testing Specifications for Peace Officer Basic Courses. The Requalification Course includes the following tests:~~

~~(A) POST-Constructed Comprehensive Test~~

~~The minimum passing score is established by POST.~~

~~1. POST-Constructed Comprehensive Requalification Test~~

~~Following the administration of a comprehensive test, presenters shall provide each student with a report that outlines the learning objectives failed by that student.~~

~~Only individuals who have completed POST-provided online proctor training may administer this~~

~~test.~~

~~(B) Exercise Tests~~

~~1. Proficiency~~

~~Presenters shall require each student to demonstrate proficiency in the competencies required by each exercise test. Proficiency means that the student performed at a level acceptable to the presenter.~~

~~(C) Retests~~

~~Presenters shall provide each student who fails a required initial test an opportunity to retest.~~

~~1. POST Constructed Comprehensive Test~~

~~a. Students shall be retested using an alternate form of the test.~~

~~b. If the student fails the retest, the student fails the course.~~

~~2. Exercise Tests~~

~~a. Students shall be retested on the failed test.~~

~~b. If the student fails the retest, the student fails the course.~~

~~(4) Hourly Requirements~~

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~~Presenters shall deliver the minimum number of hours of instruction specified for each learning domain in the Training and Testing Specifications for Peace Officer Basic Courses. The total minimum hourly requirement for the Requalification Course is 136 hours.~~

~~Procedure D-10 was adopted and incorporated by reference into Commission Regulation 1008 on June 16, 1999, and amended July 1, 2002, September 15, 2004, January 1, 2006, August 26, 2006, January 1, 2009, April 3, 2012, and April 1, 2016.~~

~~Procedure D-11: Basic Course Waiver Process Purpose~~

~~11-1. Establishes Guidelines~~

~~This Commission procedure establishes the guidelines for determining whether or not an individual's prior law enforcement training is sufficient for a waiver of attendance of a POST-certified Regular Basic Course (RBC) or Specialized Investigators' Basic Course (SIBC). The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Regulations 1005(a) or 1007(a). The requirements for the~~

~~Regular Basic Course and Specialized Investigators' Basic Course are specified in POST Administrative Manual (PAM) Section D-1. A waiver of attendance of a POST-certified basic course is authorized by Regulation 1008.~~

~~A waiver of attendance of a POST-certified Regular or Specialized Investigators' Basic Course shall be determined through an assessment process, including testing and examination. The assessment process assists an agency in determining whether or not an individual should be required to attend a POST-certified Regular or Specialized Investigators' Basic Course, and~~

~~does not propose to determine whether or not the individual should be hired.~~

~~Evaluation and Test Fee~~

~~11-2. Fee~~

~~A fee to cover administrative costs of evaluation, initial test, and retest, if applicable, shall be charged by the Commission and/or training presenter. The appropriate fee must accompany the request for initial test, examination, and retest. The appropriate fee shall be determined by the Commission and/or training presenter and shall be based on actual expenditures related to this procedure.~~

~~The evaluation fee shall be exempted by the Commission for individuals who are hired by an agency prior to the date the agency enters the POST program.~~

~~Eligibility~~

~~11-3. Eligibility for Evaluation~~

~~An individual whose training and education meets the appropriate basic course (RBC or SIBC) minimum hourly requirement as specified in PAM Section D-1 and who has at least one year of successful general law enforcement experience for Regular Basic Course Waiver applicants, or at least one year of successful general or investigative law~~

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enforcement experience for Specialized Investigators' Basic Course Waiver applicants is
eligible for evaluation.

Evaluation of Training

~~11-4. Preliminary Evaluation of Completed Training~~

~~The individual must show satisfactory completion of the minimum required hours of the basic course in which he or she is applying for a waiver. Prior training and education must meet the appropriate basic course (RBC or SIBC) minimum hourly requirements to be acceptable for evaluation.~~

~~(a) The Basic Course Waiver Application, POST 2-267, must be submitted with all supporting training, education, and experience documentation.~~

~~(b) The Basic Course Waiver Application, POST 2-267, is to be signed by the individual, and the department head when appropriate, in Section 2, Request for Evaluation.~~

~~(c) Each evaluation request must be accompanied by the evaluation fee in the form of a certified check or money order, payable to the Commission on POST. Satisfaction of the following must be verified by supporting documentation prior to requesting an evaluation from POST. Completed training must be supported by a certificate of completion or similar documentation; official transcripts are required to verify completed college and university courses.~~

~~(1) The Regular Basic Course (PAM Section D 1 3)~~

~~(A) The individual must have successfully completed at least 200 hours of training in one of the following: a basic general law enforcement training course certified or approved by California POST or a similar standards agency of another state; a California reserve course (Modules A, B, and C); or a federal agency general law enforcement basic course. Additional law enforcement training or college and/or university courses in the related subjects may be considered to comprise the remainder of the required minimum hours. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's official college transcript must be submitted. One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.~~

~~(B) Prior successful completion of the legislatively mandated topics required by the Regular Basic Course must be documented and submitted with the Basic Course Waiver Application, POST 2-267.~~

~~(C) Prior completion of at least one year of successful general law enforcement experience is required for Regular Basic Course Waiver applicants. Written verification on agency letterhead from the department head, training manager, or personnel department for which the applicant was employed must be submitted with the Basic Course Waiver Application, POST form 2-267.~~

~~(2) The Specialized Investigators' Basic Course (PAM Section D 1 4)~~

~~(A) The individual must have successfully completed the current minimum hours of specific training in basic investigative subjects in a California POST certified or approved training~~

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~~course, or a course certified or approved by a similar standards agency of another state, a California reserve course (Modules A, B, and C), or a federal agency, general or investigative enforcement basic course. Additional law enforcement training or college and/or university courses in the related subjects may be considered to comprise the remainder of the required minimum hours. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's official college transcript must be submitted. One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.~~

~~(B) Prior successful completion of the legislatively mandated topics required by the Specialized Investigators' Basic Course must be documented and submitted with the Basic Course Waiver Application, POST 2-267.~~

~~(C) Prior completion of at least one year of successful general or investigative law enforcement experience is required for Specialized Investigators' Basic Course Waiver applicants. Written verification on agency letterhead from the department head, training manager, or personnel department for which the applicant was employed must be submitted with the Basic Course Waiver Application, POST 2-267.~~

11-5. POST Evaluation Process

~~Upon receipt of the completed Basic Course Waiver Application POST 2-267 (04/2011), all supporting documents and the appropriate fee, POST will evaluate the individual's prior training, education and experience to verify comparable training. POST may require additional supporting documents to complete the evaluation.~~

Testing Process

11-6. Completion of the Basic Course Waiver (BCW) Testing Process:

~~The BCW testing consists of two components: comprehensive and exercise tests. Both components are graded pass/fail and must be successfully completed.~~

~~(a) The comprehensive component consists of a test designed to evaluate an individual's knowledge of basic course content.~~

~~(b) The exercise component consists of tests designed to evaluate an individual's manipulative skills as acquired in the basic course. An individual must demonstrate competency in each required area.~~

~~(c) The BCW testing must be completed within 180 days of notification by POST of successful completion of the waiver evaluation process.~~

~~(d) The BCW testing process consists of either:~~

~~(1) Attending and successfully completing a POST-certified Requalification Course, or~~

~~(2) Arranging and successfully completing testing through a POST Testing Center.*~~

~~*Individuals who have a three year or longer break from the last date of service as a peace officer shall successfully complete a POST-certified Requalification Course in order to~~

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complete the BCW.

11-7. Test Scheduling

BCW testing will be scheduled based on the following:

- (a) When the individual chooses to complete the BCW testing process through the Requalification Course, the dates and times will be determined by the Requalification Course presenter. When the individual chooses to complete the BCW testing process through a POST Testing Center, arrangements must be made directly with the Testing Center.
- (b) All fees are to be paid directly to the Requalification Course presenter or the POST Testing Center.
- (c) An individual who chooses to complete the BCW testing process through the Requalification Course must successfully complete the entire course and may not later choose to complete the testing option. If an individual does not successfully complete the Requalification Course, the individual will be excluded from the Basic Course Waiver process and required to successfully complete the appropriate POST-certified basic course (RBC or SIBC) before exercising peace officer powers.

An individual who chooses to complete the BCW testing process through the testing option must successfully complete all tests and may not later choose to complete the Requalification Course. If an individual does not successfully complete the testing option, the individual will be excluded from the Basic Course Waiver process and required to successfully complete the appropriate POST-certified basic course (RBC or SIBC) before exercising peace officer powers. Retesting Process

11-8. Retest

A retest date will be determined by the Requalification Course presenter or POST Testing Center no later than 180 days from the original test date. The retest fee shall be submitted directly to the POST-certified Requalification Course presenter or POST Testing Center. Failure to complete a needed retest within the 180 days will result in closure of the application process. After that deadline, the individual shall be required to file a new application and shall be subject to the training standards, testing, and fee requirements in effect at the time of submission of the new application.

- (a) The comprehensive retest shall be allowed one time only. Arrangements for the comprehensive retest must be made directly with the same POST-certified Requalification Course presenter or POST Testing Center at which the initial comprehensive test was originally taken. An individual who fails the comprehensive retest must, before exercising peace officer powers, successfully complete a POST-certified basic course.
- (b) Retest of one or more modules of the exercise component shall be allowed one time only.

Arrangements for the exercise retest must be made directly with the same POST-certified Requalification Course presenter or POST Testing Center in which the initial exercise test was originally taken. An individual who does not pass the exercise retest must, before exercising peace officer powers, successfully complete a POST-certified basic course.

Issuance of Waiver

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11-9. Waiver of Attendance

~~Upon successful completion of the assessment process, a Waiver of Attendance of a POST-certified basic course will be granted by POST.~~

~~Procedure D-11 was adopted and incorporated by reference into Commission Regulation 1008 on January 28, 1982, and amended on August 17, 1986, November 2, 1986, January 29, 1988, February 22, 1996, July 1, 1999, July 1, 2002, and September 21, 2005.~~

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REQUALIFICATION REQUIREMENTS, 1005: MINIMUM STANDARDS FOR TRAINING,
AND 1001: DEFINITIONS

§ 1008: Basic Course Requalification Requirements

(a) Purpose of Requalification.

A peace officer's ability to perform critical manipulative and tactical skills, together with his or her knowledge and familiarity with mandatory subjects of training, may be significantly reduced if the officer has not obtained qualifying peace officer employment within a reasonable period of time following completion of basic training, or if that person has experienced an extensive lapse in qualifying peace officer employment. For that reason, it is necessary to establish requirements for requalification of such individuals to ensure that they are competent and proficient prior to appointment.

The purpose of requalification is to provide an alternative to repeating the Basic Course – either the Regular Basic Course (RBC) or Special Investigator Basic Course (SIBC) - for individuals who have experienced a three-year or longer break in qualifying peace officer employment or since completion of the RBC/SIBC. The POST-certified Requalification Course serves to refresh a peace officer's ability to perform critical manipulative skills and provide updated instruction for those portions of the Basic Course that have changed, including legislative mandates and areas involving safety or potential liability.

For the purposes of this regulation, "qualifying employment" is defined as service in a position for which the RBC or SIBC is required, as appropriate.

(b) Requalification Requirements

Prior to exercising peace officer powers in a position for which the RBC/SIBC is required, individuals must successfully complete requalification if more than three years has elapsed since the date of any of the following:

- (1) A break in service from a peace officer position for which the RBC/SIBC is required¹,
or
- (2) Successful completion of the Basic Course without having obtained
qualifying employment; or
- (3) The issuance of a Basic Course Waiver without having obtained qualifying
employment.

(c) Time Limits Following Completion of Requalification.

Upon completion of requalification, individuals must obtain qualifying employment
within specified time limits as follows:

- (1) Break in Service. An individual who has completed requalification due to a break in
qualifying employment from a California law enforcement employer has up to three
years from the date of completion to be appointed to a position for which the

¹ Only Level 1 reserve peace officers who have averaged a minimum of 16 hours of service per month during their Level 1 appointment are eligible to attend a Requalification Course.

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is required. If more than three years has elapsed after completing requalification without an appointment, requalification can be repeated as often as necessary.

(2) Basic Course Completion. An individual has a maximum of three years following completion of requalification to obtain initial qualifying employment. If more than six years has elapsed since the completion of the RBC/SIBC without obtaining initial qualifying employment, the RBC/SIBC must be repeated, regardless of the date of the completion of requalification. Requalification may not be repeated.²

(3) Basic Course Waiver. An individual who initially received a Basic Course Waiver has a maximum of three years following completion of requalification to obtain qualifying employment. If more than six years has elapsed since the date the Waiver was granted without obtaining qualifying employment, the RBC/SIBC must be completed, regardless of the date of completion of requalification. Requalification may not be repeated³.

(d) Exemptions

An individual who possess a POST Basic Certificate and Is seeking qualifying employment after a greater than three year break in service may receive an exemption of the requalification requirement by the Executive Director or the Commission under the following circumstances:

1. The individual is re-entering law enforcement at the middle management or executive rank and will function at the second-level of supervision or above, or

2. The individual has been employed continuously in another state as a full-time regular peace officer with no longer than a 60-day break in service between that employment and a position with a California law enforcement employer, or

3. The employment, training and education during the break in service provides assurance, as determined by POST, that the individual is currently proficient, or

4. The individual is re-entering law enforcement in a permanent or temporary assignment not involved in general law enforcement duties.

The prospective hiring agency seeking an exemption for an individual who meets the criteria outlined above shall submit a letter to the Executive Director that includes: 1) reason for the request; 2) description of the intended job classification and duty assignments; and 3) documentation of prior employment, training and education, and the dates completed as it applies to the criteria outlined in subsection 1008(d)(1.- 4.).

Any exemption granted by the Executive Director is specific to the agency making the request and is for the position described in the request.

(B) The Commission may, in response to a written request or on its own motion, upon a showing of good cause and based upon an individual's employment, proficiency, training,

² Individuals who completed the Basic Course requirement prior to July 1, 1999 may repeat requalification as necessary.

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and education, exempt an individual from completion of the basic course requalification requirement. The individual shall: 1) have satisfied the Regular Basic Course training requirement; 2) become re-employed as a peace officer after a three-year-or-longer break in service; and 3) not be described or included in subsection 1008(d)(1,-4).

(e) Jail Deputy Exemption

An individual who successfully completed the RBC or received a Basic Course Waiver on or after January 1, 2013 and has been appointed as a jail deputy [Penal Code section 830.1(c)], but who has not previously accrued one year of qualifying employment, is eligible for an exemption of the requalification requirement if the individual has:

- (1) Been continuously employed as a jail deputy with the same agency, and
- (2) Maintained ongoing Perishable Skills training as specified by POST in Section 1005(d)(4), and
- (4) Been appointed as a deputy sheriff [Penal Code section 830.1(a)] within five years of the date of completion of the Basic Course or the Basic Course Waiver.

(f) Documentation of Exemption

Written documentation determined by the department head as satisfying an exemption listed above shall be retained by the employing agency for at least the duration of the individual's employment with the department. This retention period is required so that the employing agency can provide supporting documentation of the exemption, if it is requested during a POST inspection.

NOTE: This subsection shall remain in effect until January 1, 2019 [Penal Code Section 832.3i)].

(g) Requalification Course Requirements

This section establishes statewide standards for the Requalification Course. The individual learning domains that make up the requalification course curriculum are listed in the [Requalification Course Training Specifications](#) (hereon referred to as "Requalification Course Specifications").

Each requalification course presentation shall be completed under the sponsorship of one presenter unless POST has approved a contractual agreement for multiple presenters to deliver the training. Presenters shall not exceed these standards without prior approval from POST.

- (1) Requalification Course Eligibility. Presenters of the Requalification Course shall require proof, to the training presenter's satisfaction, that the applicant is eligible to enroll in the course based on the requirements specified in Regulation 1008(b).
- (2) Requalification Course Training Requirements - Presenters shall provide instruction for the Requalification Course as follows:

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- (A) Hourly Requirements - Presenters shall deliver the required hours of instruction specified for the requalification course in each learning domain of the Requalification Course Specifications. The total hourly requirement for the Requalification Course is 136 hours.
 - (B) Learning Objectives - Presenters shall provide instruction on all learning objectives specified for the Requalification Course Specifications.
 - (C) Learning Activities – Students must participate in all learning activities that are required for the Requalification Course Specifications. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or comparable activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the course.
 - (D) Remedial Training - Specific instruction provided to reinforce the required concepts and/or skills after a student has failed an initial test. Each presenter will determine the content and the amount of time required for remedial training. Remedial training shall be provided independent of the retest.
- (3) Testing Requirements
- (A) All students shall be tested as specified in the Requalification Course Specifications. For the learning domain(s) being assessed in a particular test, refer to the “Minimum Content Hourly Requirements” page for the Requalification Course Specifications.
 - (B) The Requalification Course includes the following tests:
 - 1. POST-Constructed Comprehensive Test - The minimum passing score is established by POST. Only individuals who have completed POST-provided proctor training shall administer and score this test.
 - 2. Exercise Test - Presenters shall require each student to demonstrate proficiency in the competencies required by each exercise test. Proficiency means that the student performed at a level acceptable to the presenter.
- (4) Retests - Presenters shall provide each student who fails a required initial test or exercise test an opportunity to retest. Students being retested on the POST-Constructed Comprehensive Test shall be retested using an alternative form of the test. Only one retest is permitted. If the student fails the retest, the student shall fail the course.
- (h) Requalification Requirements for the Regular Basic Course - Module III

For the purposes of Regulation 1008(h), “Module III” includes the POST-certified Module III of the Regular Basic Course, the two-part Level III Module, and the single component Level III Module, as specified in Regulation 1007(a).

- (1) Requalification Methods. The provisions and means for requalification for a position for which Module III of the Basic Course is required are as follows:

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- (A) Repeating and successfully completing Module III without having obtained qualifying service, or
- (B) Demonstrating continued mastery of Module III training material by passing the POST-constructed Comprehensive End-of-Course Module III Test, the PC 832 Course Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test.

(2) Requalification Requirements

Prior to appointment as a Level III reserve peace officer, an individual must successfully complete requalification if more than three years has elapsed since the date of any of the following:

- (A) Successful completion of Module III, or
- (B) A break in service from a position as a Level III, Level II or Level 1 reserve peace officer or regular peace officer subsequent to successful completion of Module III, Module II, or the RBC.

(3) Requalification Time Limits.

An individual who completed requalification as a result of a break in service as a Level III reserve peace officer has up to three years to be appointed to a Level III reserve peace officer position. If more than three years has elapsed without appointment, requalification may be repeated.

Upon successful completion of requalification, an individual who completed Model III, Module II, or the Basic Course has three years to secure initial appointment in a position as a Level III reserve peace officer. If, after six years, the individual has not had an initial appointment as a Level III reserve peace officer, Module III must be repeated, regardless of the date of completion of requalification during that six-year period.⁴

(4) Requalification Testing Process.

Only individuals who have completed Module III training may apply to participate in the Module III Requalification Testing Process.

(A) Application Requirements

An individual seeking to requalify Module III through the testing process shall submit a written request to a POST-approved Module III Requalification Testing Presenter.

The application shall include the following:

1. The individual's full name, mailing address, daytime phone number, and POST identification number.
2. A copy of the individual's POST Profile.

⁴ Individuals who successfully completed Module III prior to July 1, 2008, may repeat requalification as necessary.

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3. A certified check or money order payable to the presenter in the amount specified by the presenter administering the POST-Constructed Comprehensive Module III Test, the PC 832 Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test. These fees shall not exceed actual test administration costs and are subject to POST audit.
4. A criminal history clearance from the Department of Justice for applicants who are not sponsored by a local or other law enforcement agency, or who are not

³ Individuals who successfully completed Module III prior to July 1, 2008, may repeat requalification as necessary.

peace officers employed by a state or local agency, department or district. Per Penal Code 13511.5, no firearms training or testing shall be administered prior to receipt of the clearance.

Applicants shall receive written notification from the presenter regarding eligibility to be tested within 30 days of the presenter's receipt of required documentation as specified above.

Individuals who receive notification that they are ineligible to be tested shall be provided an explanation for their ineligibility. The individuals may submit a new request with additional documentation to the course presenter, which shall be processed within 30 days of receipt.

POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable testing fees will be refunded with the notification to those individuals who are determined, either by the presenter or POST, to be ineligible for testing.

(B) Test Administration Requirements

The Requalification Tests shall be administered by POST-approved/authorized course presenters who have received training in the administration of the tests and who agree to abide by the terms of a formal POST Test Use and Security Agreement. The procedures for administration and scoring are as follows:

1. Applicants shall be tested at a POST-approved location within 90 days of notification of eligibility to complete the requalification test process.
2. At least 30 days in advance of testing, eligible applicants shall be notified of the specific date, time and location of testing.
3. Individuals who desire to be tested after they fail to appear for a scheduled requalification test must reestablish eligibility to be tested by completing the application requirements described above.
4. All tests shall be scored using POST minimum passing scores.
5. All test results shall be mailed to POST by the test administrator, postmarked within five working days of the date of testing.
6. The presenter shall notify the applicant, in writing, of the test results, postmarked

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within five working days of test completion. For individuals who passed the tests, the notification shall include a certificate showing successful completion of the Module III Requalification Testing Process.

7. The presenter shall maintain, as a matter of record, all documents submitted by applicants participating in the Module III Requalification Testing Process.

(C) Requalification Retesting

1. One requalification retest shall be permitted for any failed initial test, contingent upon advance payment of applicable testing fees as described in Regulation 1008(h)(4)(a).
2. Retesting must occur within 90 days of the initial test. For firearms and arrest and control exercise tests, individuals have the option of retesting immediately or within 90 days.
3. All required tests must be passed to successfully complete the Module III Retesting Process.
4. Individuals who fail to achieve a passing score on the retest, or who fail to appear for retesting, shall be required to successfully complete Module III training in order to meet the Module III requalification requirements.

(i). Requalification Requirement for the Regular Basic Course - Module II

- (1) Requalification Methods. The provisions and means for requalification for a position for which Module II of the Basic Course is required are as follows:

- (A) Repeating and successfully Module II, or
- (B) Demonstrating continued mastery of Module II training material by passing the POST-Constructed Comprehensive Module II Test, the PC 832 Course Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test.

(2) Requalification Eligibility Requirements

Prior to appointment as a Level II reserve peace officer, an individual must successfully complete requalification if more than three years has elapsed since the date of any of the following:

- (A) Successful completion of Module III and Module II without having obtained qualifying service, or
- (B) A break in service from a position as a Level II or Level 1 reserve peace officer or regular peace officer subsequent to successful completion of Module III and Module II, or the RBC.

(3) Requalification Time Limits.

An individual who completed requalification as a result of a break in service as a Level II reserve peace officer has up to three years to be appointed to a Level II reserve peace officer position. If more than three years has elapsed without appointment, requalification may be repeated.

If more than six years elapses between an individual's successful completion of Module

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II and an initial appointment as a Level II reserve peace officer, the individual must repeat Module II, regardless of the date of completion of requalification during that six-year period.⁵

(4) Requalification Testing Process.

Only individuals who have completed Module III and Module II training may apply to participate in the Module II Requalification Testing Process.

(A) Application Requirements

An individual seeking to requalify Module II through the testing process shall submit a written request to a POST-approved Module II Requalification Testing Presenter that includes all of the following:

1. The individual's full name, mailing address, daytime phone number, and POST identification number.
2. A copy of the individual's POST Profile.
3. A certified check or money order payable to the presenter in the amount specified by the presenter administering the POST-Constructed Comprehensive Module II Test, the PC 832 Arrest and Control Exercise Test, and the PC 832 Firearms Exercise Test. These fees shall not exceed actual test administration costs and are subject to POST audit.
4. A criminal history clearance from the Department of Justice for applicants who are not sponsored by a local or other law enforcement agency, or who are not peace officers employed by a state or local agency, department or district. Per Penal Code 13511.5, no firearms testing shall be administered prior to receipt of the clearance.

Applicants shall receive written notification from the presenter regarding eligibility to be tested within 30 days of the presenter's receipt of all of required documentation as specified above.

Individuals who receive notification that they are ineligible to be tested shall be provided an explanation for their ineligibility. The individuals may submit a new request with additional documentation to the course presenter, which shall be processed within 30 days of receipt.

POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable testing fees will be refunded with the notification to those individuals who are determined, either by the presenter or POST, to be ineligible for testing.

(B) Administration Requirements

The Requalification Tests may only be administered by POST-approved/authorized course presenters who have received training in the administration of the tests and who agree to abide by the terms of a formal POST Test Use and Security Agreement.

⁵ Individuals who successfully completed Module II prior to July 1, 2008, may repeat requalification as necessary.

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The procedures for administration and scoring are as follows:

1. Applicants shall be tested at a POST-approved location within 90 days of notification of eligibility to complete the requalification testing process.
2. At least 30 days in advance of testing, eligible applicants shall be notified of the specific date, time and location of testing.
3. Individuals who desire to be tested after they fail to appear for a scheduled requalification test must reestablish eligibility to be tested by completing the application requirements described above.
4. All tests shall be scored using POST minimum passing scores.
5. All test results shall be mailed to POST by the test administrator, postmarked within five working days of the date of testing.
6. The presenter shall notify the applicant of the test results in writing, postmarked within five working days of test completion. For individuals who passed, the notification shall include a certificate showing successful completion of the Module II Requalification Testing Process.
7. The presenter shall maintain, as a matter of record, all documents submitted by applicants participating in the Module II Requalification Testing Process.

(c) Requalification Retesting

1. One requalification retest shall be permitted for any failed initial test, contingent upon advance payment of applicable testing fees as described in Regulation 1008(h)(4)(C).
2. Retesting must occur within 90 days of the initial test. For firearms and arrest and control exercise tests, individuals have the option of retesting immediately or within 90 days.
3. All required tests must be passed to successfully complete the Module II Retesting Process.
4. Individuals who fail to achieve a passing score on the retest, or who fail to appear for retesting, shall be required to successfully complete Module II training in order to meet the Module II requalification requirements.

(j) Requalification Requirement for the Regular Basic Course – Module I

Individuals who have successfully completed Modules I, II, and III have met the requirements of the Basic Course; the requalification requirements specified in Regulations 1008 (a – g) apply to these individuals.

§ 1005. Minimum Standards for Training (Refer to Regulation 1007 and PAM Section H for reserve peace officer training standards).

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(a) Minimum Entry-Level Training Standards (Required)

[Regulation 1005(a)(1)(A) – (a)(1)(B)(5.) continued]

(C)Basic Course Waiver

A Basic Course Waiver (BCW) provides an exemption from the Regular Basic Course (RBC) or Specialized Investigator Basic Course (SIBC) training requirements and is granted to individuals from another state, with no prior California law enforcement experience, whose law enforcement training, experience and education are deemed by POST to demonstrate sufficient law enforcement knowledge, skill and proficiency. The prescribed course of training appropriate to the individual's appointment is determined by the Commission and is specified in Regulation 1005(a) or Regulation 1007(a). The requirements for the RBC and SIBC are specified in POST Administrative Manual (PAM) Section D-1.

Acceptance of the BCW in lieu of successful completion of a RBC or SIBC is at the discretion of the employing agency. The BCW does not determine an individual's employability, nor is it a means of requalifying training. Individuals with prior California law enforcement experience are not eligible for the BCW and must complete requalification as defined in Regulation 1008.

A BCW is valid for three years from the date it is granted. After three years, the requirements for requalification or attendance in a RBC or SIBC attach, as specified in Regulation 1008. Individuals may not apply for a second BCW.

A waiver of attendance for the RBC will satisfy attendance at SIBC. However, a waiver of attendance for SIBC training does not satisfy the RBC training requirement.

1.Eligibility

a.Regular Basic Course Waiver

To be eligible for a waiver of the RBC, an individual must meet the following training, education and experience requirements:

- i. Successful completion of a 200 hour minimum basic general law enforcement training course certified or approved by California POST or a similar standards agency of another state, or a federal agency general law enforcement basic course, and
- ii. At least 664 hours of general law enforcement training, which includes the basic course requirement listed in Regulation 1005(a)(1)(A) and
- iii. Legislatively mandated training included in the POST-certified RBC, and
- iv. At least one year of out-of-state general law enforcement experience as defined in Regulation 1001. Experience must have been acquired subsequent to the completion of basic training.

b.Specialized Investigators' Basic Course (SIBC) Waiver

To be eligible for a waiver of the SIBC, an individual must meet the following training, education and experience requirements:

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- i. Successful completion of a basic investigative course similar in content to the SIBC, certified or approved by California POST or a similar standards agency of another state, or a federal agency general or investigative basic course.
- ii. At least 591 hours of investigative or general law enforcement training, which includes the basic course requirement listed in Regulation 1005(a)(1)(a), and
- iii. Legislatively mandated training included in the POST-certified SIBC, and
- iv. At least one year of out-of-state investigative or general law enforcement experience. Experience must have been acquired subsequent to the completion of basic training and, as determined by POST, commensurate with law enforcement duties of California investigative agencies.

2. Basic Course Waiver Process

A Basic Course Waiver shall be determined through a four-step process: (1) Application/Self-Assessment, Documentation, and Fee Requirements; (2) POST Training Evaluation; (3) Basic Course Waiver Assessment; and (4) Waiver Issuance.

Step 1: Basic Course Waiver Application/Self-Assessment and Documentation and Fee Requirements

- a. Self-Assessment: Prior to submitting an application for a Basic Course Waiver, an individual must conduct a self-assessment to verify successful completion of the requirements listed in the applicable section above.
- b. Documentation Requirements: The BCW Application, POST 2-267, must be submitted together with the supporting training, education, and experience documentation described below. The application form must be signed by the individual and the department head, when appropriate. Each application must be accompanied by the following supporting documentation:
 - i. Basic Course: A certificate of completion and copy of the course curriculum that outlines course content and hours that is consistent with the date of completion on the certificate.
 - ii. Other Training: Certificates of completion, training records, or similar documentation of related training.
 - iii. Education: Official transcripts. One semester unit shall be equivalent to a maximum of 20 training hours and one quarter unit shall be equivalent to a maximum of 14 training hours.
 - iv. Experience: Written verification of experience shall be listed on agency letterhead from the department head, training manager, or personnel department for which the applicant was employed. The document must

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specifically state that the applicant completed at least one year of general law enforcement following completion of basic training (or investigative experience, if appropriate). The letter must be accompanied by a duty statement for the position held by the applicant.

- v. Fee: Certified check or money order, payable to the Commission on POST, in the amount specified on the Basic Course Waiver Application (POST 2-267).

Incomplete application packets will not be considered for review and will be returned to the applicant.

Step 2: POST Training Evaluation

Upon receipt of the completed BCW Application POST 2-267, all supporting documents and the appropriate fee, POST will evaluate the individual's prior training, education and experience.

Individuals will be notified if additional supporting documents are necessary and/or if application is deficient in one or more areas. An individual shall have up to 180 days from date of notification to provide additional verification without the payment of an additional evaluation fee. Failure to provide the additional verification within that time period will result in closure of the application process. Once closed, a new application (including training certification information) must be filed, subject to the training standards, testing, and fee requirements in effect at the time of submission of the new application.

The individual and the agency, when appropriate, will be notified of the results of the evaluation. If the application is approved, the individual will be eligible to complete the BCW Assessment Process.

Step 3: Basic Course Waiver Assessment Process

a. Assessment Methods

There are two methods by which the BCW assessment can be accomplished: (1) Attendance and successful completion of a POST-certified Requalification Course; or (2) Successful completion of the BCW Testing Process. The BCW Testing Process is only available to individuals who have less than a three-year break from the last date of service as a peace officer.

Once an assessment method is chosen, an individual may not switch to the other option. The BCW assessment process must be successfully completed within 180 days of notification by POST of approval of the evaluation.

Assessment Method 1: POST- Certified Requalification Course.

- i. The 136-hour Requalification Course must be taken through a qualified presenter.
- ii. Course content and testing requirements can be found in the POST Training and Testing Specifications.

Assessment Method 2: Basic Course Waiver Testing Process.

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The testing process consists of the two components identical to the Regualification Course examinations:

- i. A comprehensive test designed to evaluate an individual's knowledge of basic course content.
- ii. Exercise tests designed to evaluate an individual's manipulative skills acquired in the basic course.
- iii. The testing process is to be administered through a POST Testing Center. Both components are graded pass/fail and must be successfully completed.

b. Retest

- i. A comprehensive retest shall be allowed one time only. Arrangements for the comprehensive retest must be made directly with the same POST-certified Regualification Course presenter or POST Testing Center at which the initial comprehensive test was taken. Retesting must take place within 90 days of the initial test. An individual who fails the retest must, before exercising peace officer powers, successfully complete the appropriate POST-certified basic course.
- ii. Retest of one or more modules of the exercise shall be allowed one time only. Arrangements for the skills retest must be made directly with the same POST-certified Regualification Course presenter or POST Testing Center in which the skills examination was originally taken. Retesting must take place within 90 days of the initial test. An individual who does not pass the failed module(s) of the skills retest must, before exercising peace officer powers, successfully complete the appropriate POST-certified basic course (RBC or SIBC).
- iii. If the testing requirement is not met due to non-completion or failure of the initial test and retest, the individual is no longer eligible for a waiver and will be required to complete the appropriate POST-certified basic course.

Step 4: Issuance of Waiver/Waiver of Attendance

- a. Upon successful completion of the waiver process, a Waiver of Attendance of the appropriate POST-certified basic course will be granted by POST.
- b. Acceptance of a waiver for meeting the appropriate Basic Course training standard shall be at the discretion of the employing agency.

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§ 1001. Definitions [only newly-added terms are listed]

“Learning Domain” is an instructional unit that covers related subject matter. Training specifications for each learning domain include learning needs, learning objectives, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.

“Learning Need” is a general statement justifying the training for a specific learning domain.

“Learning Objective” is a statement that describes an expected training outcome related to a learning need.

“Remedial Training” is a period of time in which the presenter provides specific instruction to reinforce the required concepts and/or skills after a student has failed an initial test.

“Test” is an evaluation of the extent to which students have satisfied one or more learning objectives. The required tests are specified in the Training and Testing Specifications for Peace Officer Basic Courses. Two types of tests are used in the Requalification Course:

(A) POST-Constructed Comprehensive Test: A POST-constructed test that measures acquisition of knowledge on multiple learning objectives.

(B) Exercise Test: Any test other than a POST-constructed comprehensive test that measures the acquisition of knowledge and/or skills or the competencies required to achieve one or more learning objectives.

“Test-Use and Security Agreement” is an accepted agreement between a training presenter and POST that identifies the terms and conditions under which a presenter may acquire and use specific POST-constructed comprehensive and exercise tests. Failure to comply with the terms and conditions of such agreement is grounds for decertification in accordance with Commission Regulation 1057.

“Test Administration and Security Policy” is a written procedure established by each presenter as specified in the POST Basic Courses Test Management and Security Protocols. In accordance with Regulation 1057, the failure to establish written procedures consistent with and/or to comply with the requirements of these protocols is grounds for decertification.

Note: Authority cited: Sections 830.1, 832.3, 13503, 13506, 13507, 13510, 13510.1, 13510.3, 13510.5, 13523 and 13515.26, Penal Code. Reference: Sections 832.3, 13505, 13506, 13510, 13510.5 and 13511, Penal Code.

PAM Section D-10 adopted June 16, 1999, and amended July 1, 2002, September 15, 2004, January 1, 2006, August 26, 2006, January 9, 2009, May 3, 2012, April 1, 2014, October 1, 2014, April 1, 2016, and February 15, 2017, is herein incorporated by reference.

PAM Section D-11 adopted effective January 28, 1982, and amended August 17, 1986, November 2, 1986, January 29, 1988, February 22, 1996, June 16, 1999, July 1, 2002, September 21, 2005, January 1, 2012, April 1, 2014, and February 15, 2017, is herein incorporated by reference.

The document, Training and Testing Specifications for Peace Officer Basic Courses, adopted effective January 1, 2001 and amended effective October 1, 2001, January 1, 2002, April 26, 2002, September 15, 2004, July 1, 2005, January 1, 2006, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2009, January 1, 2010, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2017, February 15, 2017, and August 1, 2017, is herein incorporated

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by reference.