

**State of California
Office of Administrative Law**

In re:
**Commission on Peace Officer Standards and
Training**

Regulatory Action:

Title 11, California Code of Regulations

Adopt sections:

Amend sections: 1052

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0328-04

OAL Matter Type: Regular Resubmittal (SR)

The Commission on Peace Officer Standards and Training proposed this action to clarify requirements in a regulation for requesting, approving, and implementing a course pilot program.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2019.

Date: April 24, 2019



Richard L. Smith
Senior Attorney

For: Holly Pearson
Acting Director

Original: Manuel Alvarez, Jr., Executive
Director

Copy: Jennifer Hardesty

APPROVED TEXT OF PROPOSED REGULATORY ACTION

Commission Regulation 1052 Requirements for Course Certification

1052. Requirements for Course Certification.

(a) Instructor-Led Training

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(a)(9)(B) Training presenters shall have the flexibility to select any of the learning activities they described as required in Regulation 1052(a)(9)(A) during a course presentation, provided the course content is delivered as certified.

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(g) Courses for which POST has established minimum curriculum and/or hourly requirements must comply with those requirements at the time of the certification request and any subsequent presentations. (See Regulation(s) 1081, 1082, and any training specifications referenced in PAM, section D-1, which have been incorporated into regulation by reference.) An exception would be a course pilot presentation that is ~~later~~ determined to meet ~~newly adopted or~~ amended curriculum, ~~and~~ hourly, and/or course certification requirements, in which case, ~~retroactive~~ POST certification and presentation approval may be granted. In addition to meeting the amended curriculum, ~~and~~ hourly, and/or course certification requirements, a pilot presentation must meet the any additional requirements set forth in Regulations ~~1052-1057~~ 1052, 1054, 1055, and 1056. Any ~~trainee course attendee~~ who has successfully completed a ~~retroactively~~ POST-certified pilot presentation shall receive credit for the training (thus satisfying the training mandate) even though the training occurred prior to the adoption of the training mandate or required curriculum/hours. POST has established the following process for approval and implementation of a pilot presentation:

- (1) Any interested person may submit a request for a pilot presentation, in writing, to the Executive Director. Each request shall minimally include the purpose, fiscal impact, desired outcome, implementation plan, and evaluation method of the pilot presentation;
- (2) POST Staff will determine whether a pilot presentation will be implemented based on the following factors:
 - (A) The proposed pilot presentation meets stakeholder needs;
 - (B) The proposed pilot presentation has statewide applicability;
 - (C) The proposed pilot presentation is not tailored to one specific group/agency, and;
 - (D) The cost to run the proposed pilot presentation, if any;
- (3) Initial approval of a pilot presentation must be granted by the Executive Director with final approval granted by the Commission;
- (4) Once approved, any POST-certified presenter may conduct a pilot presentation on a voluntary basis. The pilot presentation will not exceed 18 months;

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(5) At the end of the pilot presentation, all data collected will be presented to the Commission and a decision shall be made regarding implementation of the amended curriculum, hourly, and/or course certification requirements.

(h) No course shall be certified which restricts attendance to a single agency, unless the purpose of the course is to improve that agency and attendance by non-agency personnel would jeopardize the success of the course.

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