

## INITIAL STATEMENT OF REASONS

### Amend Commission Regulation 1056

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The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulation 1056 – Annual Recertification to address the following changes to:

- update the language to reflect the use of the Electronic Data Interchange (EDI) for POST-course review and re-certification
- revise the course re-certification process to utilize the EDI to automatically submit courses for modification rather than automatic re-certification

#### Justification for Proposed Revisions

Past practice required POST staff to provide a Course Certification Report to presenters prior to the start of the Fiscal Year. The reports were to be reviewed and signed by the presenter or presenter's designee and returned to POST for recertification for the following Fiscal Year. However, this process was streamlined to an electronic process when POST transitioned to the use of the EDI for course certification in January 2007. The amendment revises Regulation 1056 to accurately reflect the current practice of using the EDI for course certifications, modifications, and re-certifications.

Currently, the EDI automatically recertifies courses at the beginning of each Fiscal Year. However, this process does not guarantee that course content was properly reviewed and updated by the presenter throughout the prior Fiscal Year. The amended regulation allows POST staff to utilize the EDI to automatically submit courses for modification rather than automatic re-certification. This process will cause presenters and POST staff to actively review and update course content for course re-certification to be approved. POST staff will review the course to evaluate the continuing need for the course, relevance of curriculum, and adherence to the requirements for course certification and course presentation requirements per Regulations 1052 and 1055, respectively.

The amended regulation will further stipulate that this process shall begin with each Fiscal Year on July 1. POST staff will utilize the EDI to cause courses to be reviewed in odd and even years based on the original year of POST-course certification. Courses first certified in odd years will be recertified in odd years. Courses first certified in even years will be recertified in even years.

POST-developed multimedia training courses are automatically recertified and will not be subject to annual review. Basic courses, as defined in PAM sections D-1 and D-10 may be modified by the Commission biannually based on those sections. They are not subject to annual review under Regulation 1056.

#### Regulation 1056, Annual Recertification

Each POST-certified course is shall be reviewed prior to the beginning of a new fiscal year to July 1<sup>st</sup> by the presenter. Every presenter shall receive a Course Certification Report from POST for each certified course. Courses originally certified by POST in even years will be reviewed in even years and courses originally certified in odd years will be reviewed in odd years. These reports shall be reviewed and signed by the presenter or presenter's designee and returned to POST to ensure certification for the proceeding fiscal year. The POST Electronic Data Interchange (EDI) will automatically place courses scheduled for review into modification on July 1<sup>st</sup>. A- During the

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modification process, POST staff shall review ~~shall include evaluation of~~ of the course to evaluate the continuing need for the course, currency-relevance of curriculum, and adherence to requirements for course certification per Regulation 1052 and course presentation per Regulation 1055. The presenter shall submit the course to POST once the review/changes are complete. POST shall review the course in a timely manner for final approval. POST-developed multimedia training courses (~~e.g., telecourses, CD-ROM courses, and Web-based courses~~) are automatically recertified and shall not receive a ~~course certification report~~ bi-annual review. *Basic courses, as defined in PAM Sections D-1 and D-10 may be modified, by the Commission, biannually and are subject to review on that basis.*

#### **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, which are government entities, and does not have an impact on California businesses, including small businesses.

#### **Cost Impacts on Representative Private Persons or Businesses**

The Commission on POST is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

#### **Assessment**

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the State of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

#### **Consideration of Alternatives**

The Commission determined that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed, would be as effective, and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of the law.

#### **Benefits Anticipated**

The specific benefits anticipated by the proposed regulatory changes to the regulation will add clarity to the course recertification process and provide presenters and POST staff the ability to ensure the relevance of training content, best practices in training standards and delivery, and currency of instructors' subject matter expertise.

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#### **Economic Impact Analysis**

##### *Impact of Jobs/New Business:*

The Commission on POST sets law enforcement selection and training standards for its member law enforcement agencies. Participation in POST programs, and adherence to POST regulations, is voluntary and limited to law enforcement agencies that are governmental entities. The proposed regulatory revision 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 regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

##### *Benefits of the Regulation:*

The benefits of proposed amendments to the regulation will increase the efficiency of the state of California in delivering high quality services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the State's environment.