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## Section B - Regulations

### Regulation 1008

## Basic Course Waiver and Requalification Requirement

### 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 Regulation 1005(a) or 1007(a). The application, evaluation, and examination 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 section (b) below.

(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 [reference Regulation 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 Regulation 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
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, see (b)(2)(B)(1) below.

\*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 officer 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 a POST-certified Requalification Course, (PAM 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 to an individual who possesses a POST Basic Certificate and is returning to law enforcement after a three-year-or-longer break in service, and

1. Is re-entering 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. Has served, with no longer than a 60-day break in service between law enforcement employers, continuously as a Level I reserve officer in California and the individual's agency chief executive attests in writing that the individual is currently proficient; or
4. 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
5. 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.

An individual seeking an exemption from completion of the requalification requirement shall submit a letter to the Executive Director, outlining the following criteria: 1) reason for the request; 2) description of the law enforcement position the applicant is seeking; and 3) documentation of prior employment, training, and education and the dates completed as it applies to the criteria outlined in (3)(A)(1.-5.) above.

(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 (3)(A)(1 - 5) above

### (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 [reference 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 Module III End-of-Course Proficiency Test, the Penal Code section 832 Course Arrest Methods Skills Test and the PC 832 Firearms Skills Test. This can be accomplished through the completion of the Module III Requalification Examination Process [for eligibility refer to 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 Examination Process one time within six years from the date of completion of Module III. After six years, an individual must successfully complete Module III to requalify, regardless of when the Requalification Examination Process was completed.

#### (3) Eligibility for the Module III Requalification Examination Process

Only individuals who have previously completed a POST-certified Module III are eligible to participate in the Module III Requalification Examination 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) below.

(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) below. POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable examination 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 Examination Process****(A) Application**

An individual seeking to requalify Module III training through the examination process shall submit a written request to a POST-approved Module III Requalification Examination 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 Module III course completion certificate 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 (see (c)(4)(B) below 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) Examination Fees**

POST-approved Module III Requalification Examination presenters are authorized to charge fees for the administration of the POST-Constructed Comprehensive Module III End-of-Course Proficiency Test, the PC 832 Arrest Methods Skills Test, and the PC 832 Firearms Skills Test. In addition to the initial examination fees, the presenter may charge fees for retesting. Failure to appear for requalification testing or retesting may result in forfeiture of examination fee(s). Fees may vary by presenter. Examination fees shall not exceed actual test administration costs and are subject to POST audit.

**(C) Requirements for Administering the Requalification Exams**

Only POST-approved/authorized course presenters who have received training in the administration of the Requalification Exams and who agree to abide by the terms of a formal POST test use and security agreement shall administer and score the examinations. All examinations 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 exam.
2. At least 30 days in advance of the test, 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 exam must reestablish eligibility to be tested by completing the requirements described in Regulation 1008(c)(4)(A).
4. All examination results shall be mailed to POST by the examination administrator, postmarked within five working days of the date of testing.
5. The presenter shall notify all examinees in writing as to examination results, postmarked within five working days of requalification examination completion. The presenter shall also issue a completion certificate within five working days showing that the individual successfully completed the Module III Requalification Examination.
6. The presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the Module III Requalification Examination.

**(D) Requalification Examination Retesting**

One requalification exam retest shall be permitted for any test failed, contingent upon advance payment of applicable examination fees [see (c)(4)(B) above]. Such retesting must occur within 90 days of the requalification examination. For firearms and arrest skills tests, individuals will have the option of either retesting immediately or within 90 days. All required examinations must be passed to complete the Module III Requalification Examination Process.

1. Individuals who fail to achieve a passing score upon requalification exam retesting, or who fail to appear for requalification exam 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**

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 [reference 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 Module II End-of-Course Proficiency Test, the PC 832 Course Arrest Methods Skills Test and the PC 832 Firearms Skills Test. This can be accomplished through the completion of the Module II Requalification Examination Process [for eligibility refer to Regulation 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 Examination 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 Examination Process was completed.

### (3) Eligibility for the Module II Requalification Examination Process

Only individuals who have previously completed POST-certified Modules III and II are eligible to participate in the Module II Requalification Examination 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 subsection 1008(d)(4)(A) below.

(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(d)(4)(A) below. POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process. All applicable examination 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 Examination Process

#### (A) Application

An individual seeking to requalify Module II training through the examination process shall submit a written request to a POST-approved Module II Requalification Examination 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 Module III and Module II Course completion certificates 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 (see (d)(4)(B) below 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) Examination Fees

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

#### (C) Requirements for Administering the Requalification Exams

Only POST-approved /authorized course presenters who have received training in the administration of the Requalification Exams and who agree to abide by the terms of a formal POST test use and security agreement shall administer and score the examinations. All examinations 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 exam.
2. At least 30 days in advance of the test, 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 exam must reestablish eligibility to be tested by completing the requirements described in Regulation 1008(d)(4)(A).
4. All examination results shall be mailed to POST by the examination administrator, postmarked within five working days of the date of testing.
5. The presenter shall notify all examinees in writing as to examination results, postmarked within five working days of requalification examination completion. The presenter shall also issue a completion certificate within five working days showing that the individual successfully completed the Module II Requalification Examination.
6. The presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the Module II Requalification Examination.

#### (D) Requalification Examination Retesting

One requalification exam retest shall be permitted for any test failed, contingent upon advance payment of applicable examination fees [see (d)(4)(B) above]. Such retesting must occur within 90 days of the requalification examination. For firearms and arrest skills tests, individuals will

have the option of either retesting immediately or within 90 days. All required examinations must be passed to complete the Module II Requalification Examination Process.

1. Individuals who fail to achieve a passing score upon requalification exam retesting, or who fail to appear for requalification exam 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 completed Modules III, II and I, have met the requirements of the Regular Basic Course. The requalification requirements specified for the Regular Basic Course [reference Regulation 1008(b)] also apply to Module I.

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, and October 1, 2014, 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, and April 1, 2014, 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, and February 1, 2015, is herein incorporated by reference.

The document, Instructor's Guide to Learning Activities for Leadership, Ethics, and Community Policing December 2005, adopted effective January 1, 2006, is herein incorporated by reference.

The document POST Basic Courses Test Management and Security Protocols 2014 adopted effective January 1, 2009, amended May 3, 2012, and October 1, 2014, is herein incorporated by reference.

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