

(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 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. 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~~
- ~~3.4.~~ 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
- ~~4.5.~~ 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~~ The prospective hiring agency seeking an exemption for an individual who meets criteria outlined in paragraphs 1 - 4 ~~from completion of the requalification requirement~~ shall submit a letter to the Executive Director that includes: ~~outlining the following criteria:~~ 1) reason for the request; 2) description of the law enforcement intended job classification and duty assignments ~~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 subsection 1008(3)(A)(1.-~~5~~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(3)(A)(1.- 5.).