

TEXT OF PROPOSED REGULATORY ACTION
Amend Commission Regulation 1001

§ 1001. Definitions.
11 CA ADC § 1001

(1) "Academy Coordinator" is an individual responsible for the coordination of instruction and the management of basic courses.

(2) "Academy Director" is an individual responsible for the management of an academy which requires instructional planning, organization of training resources, selection and motivation of training personnel, and control and discipline of the training environment.

~~(3) "Acceptable College Education" is:~~

~~(1) Courses or degrees provided by a community college, college, or university which have been accepted by a community college, college or university accredited by a recognized national or regional accrediting body.~~

~~(2) Courses or degrees provided by a community college, college, or university accredited by a recognized national or regional accrediting body.~~

(34) "The Act" refers to Part 4, Title 4 of the Penal Code of California, commencing at Section 13500 and entitled, "Standards and Training of Local Law Enforcement Officers."

(45) "Actual Course Presentation Cost" is the total allowable direct and indirect expenses (see Commission Regulation 1054) to conduct one presentation of a POST-certified course, less any subventions from outside sources. Subventions received from outside sources may include, but are not limited to, fees, grants, gifts, Full-Time Equivalent Student (FTES) shares from community college affiliations, and monetary equivalents of services, equipment or materials provided in support of the course.

(56) "Agency Presenter" is a department, or departments working together under a joint powers or other agreement, eligible for POST reimbursement which presents POST-certified training course(s).

(67) "Assistant Department Head" is an individual occupying the first position subordinate to a department head, is generally responsible for supervision of middle managers and/or supervisors and is a position for which commensurate pay is authorized.

(78) "Asynchronous Learning" is when participants engage with each other and the same course content while separated by distance and time. Much of the distance learning in higher education is asynchronous via Internet discussion forums and online collaboration tools.

(89) "Backfill Reimbursement" is the reimbursable allowance for an agency's expense of paying salary at the overtime rate to a peace officer employee who replaces another

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peace officer employee for his/her attendance of selected POST-certified training [reference Commission Regulation 1015(d)].

(910) “Blended Learning” is an instructional method that combines the use of online media and classroom instruction. In a blended learning environment, students complete a course that integrates online learning via instructor-led or self-paced instruction with face to face classroom instruction. Basic Courses certified under Commission Regulation 1059 are not authorized for online course delivery.

~~(11) “Certificate Programs” are programs in which the Commission applies specific criteria for awards of certificates as a means of recognizing achievements in education, training, and experience and for the purpose of raising the level of competence of law enforcement officers, dispatchers, and records supervisors. Requirements for professional certificates are set forth in Commission Regulation 1011 and Commission Procedure H-4.~~

(102) “Certified Course” (see “POST-certified Course”).

(113) “Cheating” is any act or attempt to gain or provide unethical advantage to anyone involved in a POST-certified course. Cheating includes, but is not limited to, the following acts or attempts to:

(A) Use, obtain or provide any material that gives unethical advantage to any person preparing for, or taking, any test.

(B) Plagiarize.

(C) Aid, abet, conceal or fail to report an act of cheating.

(124) “Cheating in Basic Courses” is any attempt or act by a peace officer trainee to gain an unfair advantage or give an unfair advantage to another peace officer trainee or group of trainees taking a POST-mandated basic course examination.

(135) “Commission” is the Commission on Peace Officer Standards and Training.

(146) “Commuter Trainee” is one who attends a training course and travels between his or her department or normal residence and the course site each day.

(157) “Continuing Professional Training (CPT)” is training that exceeds the training required to meet or requalify in entry-level minimum standards. It is required for certain peace officer and dispatch personnel employed by POST participating departments to maintain, update, expand, and/or enhance an individual’s knowledge or skills. This includes the training required for the Perishable Skills Program.

(168) “Course Decertification” is the act of removing a course from the catalog of certified courses for reasons specified in Commission Regulation 1057.

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(179) “Course Suspension” is the act of denying a presentation request for a course for reasons specified in Commission Regulation 1057. While the course is suspended, it may remain in the catalog of certified courses until the conditions supporting the suspension are resolved.

(1820) “Department or Participating Department” is any law enforcement entity or independent communications agency which has made application to and been accepted by the Commission to participate in POST programs and receive services. Eligibility and participation requirements are set forth in Commission Regulation 1010.

(1924) “Department Head” is the chief law enforcement executive.

(202) “Distance Learning (DL)” refers to an instructional strategy in which students are distributed geographically as they attend class, and communication is made possible through technology. Learning typically occurs through synchronous learning, asynchronous learning, a combination of synchronous and asynchronous learning, or self-paced learning.

(213) “Distance Learning Platform (DLP)” refers to the technological tool or environment used to present a distance learning course.

~~(24) “Executive Position” is a position above the middle management position, up to and including department head, for which commensurate pay is authorized, and is responsible principally for command assignments and the supervision of subordinate middle management and supervisory positions. The executive position is most commonly the rank of captain or higher.~~

~~(25) “First-level Supervisory Position” is the supervisory peace officer position between the operational level and the “middle management position”, for which commensurate pay is authorized, and is responsible principally for the direct supervision of subordinates or is subject to assignment of such responsibilities. The first-level supervisory position does not encompass positions with limited or intermittent supervisory responsibilities, i.e., quasi-supervisory positions. The first-level supervisory position is most commonly the rank of sergeant.~~

(226) “Full-time Employment” is employment as defined by a state, local, or department regulation, charter, resolution, or ordinance; wherein, the employee normally works in excess of 20 hours weekly or 87 hours monthly; is tenured or has a right to due process in personnel matters; and is entitled to workers compensation and retirement provisions as are other full-time employees of the same personnel classification in the department.

(237) “General law enforcement duties” are duties which include the investigation of crime, patrol of a geographic area, responding to the full range of requests for police services, and performing any enforcement action on the full range of law violations.

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(248) “Guest Speaker” is an individual who is invited to speak in a POST-certified course because of his/her expertise in a specialized subject area, and who is directly overseen by the primary instructor.

(259) “High School” is either a United States public school that meets the high school standards set by the state in which it is located, an accredited United States Department of Defense high school, or an accredited nonpublic high school. Any accrediting association shall be recognized by the Secretary of the United States Department of Education.

(2630) “Hybrid Course” is a course delivered using any combination of the following instructional delivery methods: self-paced training, instructor-led online training, or instructor-led in-person training. Basic Courses certified under Commission Regulation 1059 are not authorized for online course delivery.

(2734) “Instructor-Led Training” refers to any course in which an instructor is present to facilitate learning. This can be done online or in-person. Basic Courses certified under Commission Regulation 1059 are not authorized for online course delivery.

(2832) “Jail Deputy” is a deputy sheriff, regularly employed and paid as such, of a county, to be a peace officer as described in Penal Code section 830.1(c), and is employed to perform duties exclusively or initially related to custodial assignments.

(2933) “Lateral Entry” refers to a hiring practice which may exempt an individual from some of the department's hiring and training procedures, as the individual's prior experience, level of responsibility, and/or training are taken into consideration for appointment.

(304) “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. Students participating in a learning activity may be coached or provided feedback. Unlike tests, learning activities are not graded.

(315) “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.

(326) “Learning Management System (LMS)” refers to any software application used to administer, document, track, report, automate, and deliver courses or other training resources.

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

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

(359) “Legislatively mandated training” is training that may or may not be POST-certified, and shall consist of POST-specified curriculum as required by law. It may be presented as a stand-alone course, a telecourse, or as part of a POST-certified course. Minimum standards for legislatively mandated training are set forth in Commission Regulation 1081.

(3640) “Limited Function Peace Officer” is a deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, who is designated on or prior to June 30, 1985, to be a peace officer as described in Penal Code section 830.1, and is employed to perform duties other than the prevention and detection of crime and the general enforcement of the criminal laws of the state.

~~(41) “Middle Management Position” is a management peace officer position between the first-level supervisory position and the department head position, for which commensurate pay is authorized, and is responsible principally for management and/or command duties. The middle management position is most commonly the rank of lieutenant or higher.~~

(3742) “Mockup” is a two-dimensional illustration of an interaction with an added surface layer that communicates the visual design (colors, images, typography).

(438) “Modular Format Coordinator” is an individual responsible for the management and presentation of Regular Basic Course - Modular Format courses.

(3944) “Non-sworn Personnel Performing Police Tasks” are those full-time, non-peace officer employees of participating departments for whom reimbursement may be claimed, based upon actual job assignment, as determined and approved by the Commission.

(405) “Online course” refers to a course that is held virtually and is both presented and attended exclusively by an online audience over the Internet. This definition is inclusive of webinars. POST credit is not given for recorded courses. Basic Courses certified under Commission Regulation 1059 are not authorized for online course delivery. For the purposes of certification, online courses will be divided into the following two components:

(A) Instructor-led training

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(B) Self-paced training which includes self-paced courses available on the POST Learning Portal

(416) “Paraprofessional” is a full-time employee of a department and includes, but is not limited to, such job classifications as: community service officer, police trainee, and police cadet.

(427) “POST-certified Course” or “Certified Course” is a program of instruction authorized by the Commission for presentation that follows the requirements set forth in Commission Regulations 1051-1059.

(438) “POST Learning Portal” is a secure website maintained by POST for use by California peace officers, dispatchers, and law enforcement instructors to access self-paced and instructor-led training videos as well as other training resources and informational videos.

(449) “Peace Officer Trainee” is an applicant for a basic course examination who has not been hired by a department or agency and has not been sworn as a peace officer.

(459) “Perishable Skills Program (PSP)” refers to the psychomotor and communications refresher training required to be completed by all peace officers below the level of middle management. The specific topics and hourly requirement of the PSP are described in Commission Regulation 1005.

(4654) “Primary instructor” is an individual responsible for the coordination and instruction for a particular subject area(s). The responsibilities include oversight of subject content, logistics, and other instructors.

(4752) “Prototype” is a low-fidelity sample that includes limited functionality, interaction, and visual design.

(4853) “Public Safety Dispatcher” is a non-peace officer who is employed full-time or part-time to perform duties which include receiving emergency calls for law enforcement service and/or dispatching law enforcement personnel.

~~(54) “Quasi-supervisory Position” is a peace officer position above the operational level which is assigned limited responsibility for the supervision of subordinates, or intermittently is assigned the responsibility of first-level supervision, and is a position for which commensurate pay is authorized. The quasi-supervisory position is most commonly a rank immediately below that of sergeant.~~

(4955) “Records Supervisor” is a full-time, non-peace officer employee of a participating California law enforcement agency who performs law enforcement records supervising duties which include records maintenance, control, release, destruction, and security 50% or more of the time within a pay period.

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(506) "Recruit Training Officer" is a supervisory position of trainees attending a Regular Basic Course - Standard Format, Regular Basic Course - Modular Format or the Specialized Investigators' Basic Course.

(517) "Regular Officer" is a sheriff, undersheriff, or deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, a police officer of a department or district enumerated in Penal Code section 13507, or a peace officer member of the California Highway Patrol.

(528) "Reimbursement" is the financial aid allocated from the Peace Officer Training Fund, as provided in Penal Code section 13523.

(539) "Reimbursement Plans" are assigned to POST-certified courses. Each plan consists of a combination of training-related expenditures approved by the Commission. The various plans are set forth in Commission Regulation 1015(c)(2).

(5460) "Reimbursement Program" is the financial aid allocation program provided for in Penal Code section 13523 in which the Commission makes payment for POST-certified training expenses. Departments which have been approved by the Commission and which employ full-time peace officers and/or dispatchers described in Penal Code section 13510 are eligible for financial aid.

(5564) "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.

(562) "Resident Trainee" is one who, while away from his or her department or normal residence, attends a training course and takes lodging and meals at or near the course site for one or more days/nights.

(5763) "Scenario Evaluator" is an individual responsible for the observation, safety, and evaluation of basic course trainees during scenario testing.

(5864) "Scenario Manager" is an individual responsible for the management of scenario demonstrations or testing events which require organization of training resources, selection, and supervision of evaluators and role players, control and security of POST testing materials and safety of scenario testing participants.

(5965) "Self-Paced Evaluation Activities" are activities designed to measure whether the learner has achieved a sufficient change in his/her knowledge, skill, and/or attitude.

(606) "Self-Paced Instructional Objectives" specify in measurable terms what the learner will be able to do as a result of instruction.

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(A) At a minimum, the instructional objectives must include the behavior and the conditions under which student performance shall be measured.

(B) The level of performance used in the objectives must match the outcome desired of the student upon completion of the course. For example, what is the student expected to know or be able to do at the conclusion of the course and does the measured performance meet this expectation?

(617) “Self-Paced Student Activities” are the exercise(s) that the learner engages in to change his/her knowledge, skill, and/or attitude around a particular area of performance.

(628) “Self-Paced Training” refers to an instructional strategy in which the learner completes the course at their own pace, having control over the duration of time necessary to complete the course materials.

(639) “Specialized Law Enforcement Department” is a department or segment of a department which:

(A) has policing or law enforcement authority imposed by law and whose employees are peace officers as defined by law; and

(B) is engaged in the enforcement of regulations or laws limited in scope or nature; or

(C) is engaged in investigative or other limited law enforcement activities in the enforcement of criminal law.

(6470) “Specialized Peace Officer” is a peace officer employee of a specialized law enforcement agency.

(6574) “Synchronous Learning” is when participants engage in the same learning process at the same time. Nearly all traditional classroom learning is synchronous.

(6672) “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.

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(~~673~~) “Test-Use and Security Agreement” is an accepted agreement between a basic course presenter and POST that identifies the terms and conditions under which a presenter may acquire and use specific confidential POST-constructed test material. Failure to comply with the terms and conditions of such agreement is grounds for decertification in accordance with Commission Regulation section 1057.

(~~6874~~) “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 Commission Regulation 1057, the failure to establish written procedures consistent with and/or to comply with the requirements of these protocols is grounds for decertification.

(~~6975~~) “Three-year rule” is the rule that relates to the necessity to requalify basic training or arrest and firearms (PC 832) training. (Refer to Commission Regulations 1008 and 1080).

(~~706~~) “Trainee” is an employee of a department who attends a POST-certified course.

(~~717~~) “Uniformed patrol duties” are general law enforcement duties which include the detection and investigation of crime, patrol of a geographic area, responding to the full range of requests for police services, general enforcement of all state and local laws including physical arrests of suspects, and working with the community to reduce crime and address community concerns. These duties are performed by peace officers, wearing a department uniform, carrying a firearm, and utilizing a marked emergency vehicle.

(~~728~~) “Variable Format” identifies a course that utilizes core curriculum as the foundation and provides for either additional hours of expanded certified training or an alternative online course format. For expanded certified training, the core curriculum does not change; however additional hours will include supplemental related content presented as lecture, learning activities, exercises, or facilitated discussion. For alternative online course formats, the core curriculum does not change, however the delivery method will change and shall adhere to the guidelines set forth by Commission Regulation 1053.

(~~739~~) “Webinar” (see Online Course)

(~~7480~~) “Web-Based Training (WBT)” (see Online Course)

(~~7584~~) “Wireframe” is a two-dimensional illustration of an interaction that specifically focuses on space allocation and prioritization of content, functionalities available, and intended behaviors.

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