



## Final Regulation Agency Background Document

<b>Agency name</b>	Department of Criminal Justice Services
<b>Virginia Administrative Code (VAC) citation</b>	6VAC20-60-20 through 6VAC20-60-100
<b>Regulation title</b>	Rules Relating to Compulsory Minimum Training Standards for Dispatchers
<b>Action title</b>	Dispatcher Rules
<b>Date this document prepared</b>	05/20/2011

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary (no more than 2 short paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation. Also, please include a brief description of changes to the regulation from publication of the proposed regulation to the final regulation.*

There are three areas of proposed change to this regulation. 6VAC20-60-10 changes the numbers of the Dispatcher Curriculum Review Committee from 13 to 9; 6VAC20-60-25 changes approval authority of the performance outcomes from the Criminal Justice Services Board to its standing Committee on Training; and 6VAC20-60-100 is repealed to become consistent with the change in approval authority.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency or board taking the action, and (3) the title of the regulation.*

Final action was taken on May 5, 2011 by the Criminal Justice Services Board to adopt the changes to 6VAC20-60-20 through 6VAC20-60-100: Rules Relating to Compulsory Minimum Training Standards for Dispatchers

**Legal basis**

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

Statutory authority is set forth by Section 9.1-102(10) of the Code of Virginia (1950) as amended.

**Purpose**

*Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Detail the specific reasons it is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.*

The purpose of the amendments is to enable standing committees to function more smoothly to achieve the goals and objectives for which they were created. Conducting annual reviews and adopting updates to training standards for dispatchers directly impacts the safety and welfare of citizens who call 9-1-1.

**Substance**

*Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. A more detailed discussion is required under the "All changes made in this regulatory action" section.*

The amended regulation reconstitutes the Dispatcher Curriculum Review Committee from thirteen (13) to nine (9) members due to the difficulties in getting a quorum for an annual meeting; transfers approval authority from the Criminal Justice Services Board to the Committee on Training is made due to the desire to have the Committee on Training responsible for changes to all parts of the training standards; and incorporates the suggestions for change to the on-the-job training requirements proposed by the Dispatcher Curriculum Review Committee. Over ten years experience in working in the current manner strongly suggests all parties would be better served by having the Committee on Training handle all suggested changes to the training standards using the process set up in the rules. The same change in approval authority was

recently approved through the fast-track process for the rules governing both entry-level law enforcement training and entry-level jail/court security/civil process service training.

**Issues**

*Please identify the issues associated with the proposed regulatory action, including:*

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

*If there are no disadvantages to the public or the Commonwealth, please indicate.*

The advantages to the public and to the Commonwealth includes a simpler, less costly, and less time consuming method for changing the performance outcome statement that is part of the training standards. This enables annual updates to be completed more efficiently and provides greater clarity to instructors and recruits involved in 9-1-1 dispatcher training. The safety and welfare of the public is paramount in setting forth training requirements while providing protection from incompetent or unqualified persons from performing dispatcher duties. There are no disadvantages.

**Changes made since the proposed stage**

*Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar’s office, please put an asterisk next to any substantive changes.*

No additional changes were made.

**Public comment**

*Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate.*

<i>Regulation Cite</i>	<i>Comments</i>	<i>Respondent(s)</i>	<i>Agency Response</i>
<b>6 VAC 20-60</b>	Recommend these changes be approved.	Chief Charlie T. Deane, Prince William County	Thank you for your comment.
<b>6 VAC 20-60-100 Performance Outcomes</b>	It appears that all the standards are being deleted, would like to know what exactly was proposed.	Phyllis Fullilove-Reid, Prince William County OPSC	The proposed changes are to the regulations not to the standards that are maintained at the Department. This regulatory

	Question regarding the removal of the compulsory minimum training standards sections from the Regulations..	Renee B. Meador Central Shenandoah Academy	action is to remove the performance objectives from the regulations only and to request that future amendments to the performance objectives be approved by the CJSB Committee on Training thus removing the lengthy procedure of promulgating change through the Administrative Process Act. (APA).
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**All changes made in this regulatory action**

*Please list all changes that are being proposed and the consequences of the proposed changes. Describe new provisions and/or all changes to existing sections.*

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale

No additional changes were made from the proposed document.

**Regulatory flexibility analysis**

*Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.*

It would require a change in the Code of Virginia to begin to develop alternate methods.

## Family impact

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The impact on the family is the sense of safety and welfare that comes from being able to call 9-1-1 and know that aid will be sent.