



## Proposed Regulation Agency Background Document

<b>Agency name</b>	Department of Criminal Justice Services
<b>Virginia Administrative Code (VAC) citation</b>	6VAC20-60-20 through 20-60-100
<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>	9/14/2009

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*In a short paragraph, please summarize all substantive provisions of new regulations or changes to existing regulations that are being proposed in this regulatory action.*

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outcomes from the Criminal Justice Services Board to its standing Committee on Training; and 6VAC20-60-100 is repealed to become consistent with the change in approval authority.

### Acronyms and Definitions

*Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.*

No acronyms are used.

## 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., the agency, board or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

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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 by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.*

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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 briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. (More detail about all provisions or changes is requested in the "Detail of changes" 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 the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

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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.

### Requirements more restrictive than federal

Please identify and describe any requirement of the proposal, which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

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There are no applicable federal requirements.

### Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

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No locality is particularly affected. These rules regulate statewide training of 9-1-1 dispatchers.

### Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

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In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so via the Regulatory Townhall website, [www.townhall.virginia.gov](http://www.townhall.virginia.gov), or by mail, email or fax to [insert staff contact persons name, mailing address, phone number, fax number and email address]. Written comments must include the name

and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and the Commonwealth Calendar. Both oral and written comments may be submitted at that time.

**Economic impact**

*Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact.*

<p><b>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source, and (b) a delineation of one-time versus on-going expenditures.</b></p>	<p>One annual meeting of the Curriculum Review Committee to review and update training standards. Cost would be reduced because of the proposed reduction of committee members from thirteen (13) to (nine). Approximately \$1200 base on past meetings.</p>
<p><b>Projected cost of the <i>new regulations or changes to existing regulations</i> on localities.</b></p>	<p>0</p>
<p><b>Description of the individuals, businesses or other entities likely to be affected by the <i>new regulations or changes to existing regulations</i>.</b></p>	<p>9-1-1 callers</p>
<p><b>Agency's best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected.</b> Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>Anyone in Virginia who calls 9-1-1 and approximately 3300 dispatchers in Virginia.</p>
<p><b>All projected costs of the <i>new regulations or changes to existing regulations</i> for affected individuals, businesses, or other entities. Please be specific and do include all costs. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses. Specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</b></p>	<p>No costs to call 9-1-1 by individuals, businesses or other entities.</p>
<p><b>Beneficial impact the regulation is designed to produce.</b></p>	<p>This transfer of authority for approving changes to a performance outcome statement in the training standards will add efficiency to process for change and enable a clearer result.</p>

**Alternatives**

*Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.*

There are no alternatives to the current training system in Virginia. It would require a major reorganization of the current delivery of training to develop an alternative method.

**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.

**Public comment**

*Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.*

Commenter	Comment	Agency response

**No comment was received during the Notice of Intended Regulatory Action public comment period.**

**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.*

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.

**Detail of changes**

*Please detail all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact if implemented in each section. Please detail the difference between the requirements of the new provisions and the current practice or if applicable, the requirements of other existing regulations in place.*

*If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all provisions of the new regulation or changes to existing regulations between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.*

For changes to existing regulations, use this chart:

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change, rationale, and consequences</b>
6VAC20-60-10		Dispatcher Curriculum Review Committee Membership set at thirteen (13).	Changes the numbers of the Dispatcher Curriculum Review Committee from 13 to 9 due to difficulty in getting quorums for meetings.
6VAC20-60-25		Criminal Justice Services Board approves changes to performance outcomes.	Changes approval authority of the performance outcomes from the Criminal Justice Services Board to its standing Committee on Training due to interest in having the Committee on Training be responsible for changes to all parts of a training standard.
6VAC20-60-100		Follows current requirements.	The Performance Outcomes are removed as part of the Rules. Any changes to these will be approved by the Committee on Training instead of the Criminal Justice Services Board per the change being made in 6VAC20-60-25.

For new chapters, use this chart:

<b>Section number</b>	<b>Proposed requirements</b>	<b>Other regulations and law that apply</b>	<b>Intent and likely impact of proposed requirements</b>

Enter any other statement here