

CHAPTER 5
TRAINEE TERMINATION
REVISED JULY 2018
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CHAPTER 5

TRAINEE TERMINATION

1. INTRODUCTION.

a. General. The Field Training and Evaluation Program (FTEP) is designed to teach new officers to perform successfully on their own. Unfortunately, this level of competency is not always reached. Some trainees realize the expectations they had when they entered law enforcement were unrealistic, or unattainable. Other trainees can perform many, but not all, tasks which are critical to successfully performing the duties of an officer. Regardless of the causes, the fact is some people just do not succeed. Program staff must be prepared to deal with this possibility, if and when it arises.

b. Termination Factors. Termination is stressful, not only for the trainee, but for the Field Training Officer (FTO) and the program participants as well. The Department is deeply committed to training, not terminating trainees. However, the fact remains that in some cases it is not only necessary but obligatory to terminate a failing trainee. If a trainee is not progressing in the program and it has been determined that progress to a minimally satisfactory level of performance is not possible, termination is the only logical step. Otherwise, FTOs could go to extremes in an attempt to save trainees who will ultimately fail anyway. While FTOs should never give up on trainees who have the slightest chance of success, they must be realistic toward those who do not.

2. TERMINATION.

a. Termination Options. Before a decision to terminate a trainee is considered, program staff must address some basic questions regarding the training and those efforts implemented to overcome the trainee's problems and difficulties.

(1) What type of problems is the trainee experiencing?

(2) What is causing these problems?

(3) What has been done to overcome these problems?

(4) How much remedial training has taken place?

(5) Has there been significant improvement after remedial training, and if so, how much?

(6) Is it possible the trainee can improve in the future?

(7) Have the problems and remedial efforts been fully documented?

(8) Once the answers to these questions have been ascertained and the determination remains to recommend termination, a meeting shall be held between all FTOs who have worked with the trainee and the Area FTEP coordinator. The purpose of this meeting is to discuss the trainee's performance and to ensure everything was done to help the trainee make it through the program successfully.

(a) If a consensus to terminate is reached, a recommendation to terminate the trainee is presented to the Area commander.

(b) If Phases I through III and Extension of the training program have not been completed, the Area commander may deny the recommendation, in which case the trainee will continue in the program.

(c) If the Area commander agrees with the consensus, a recommendation shall be made to the Division commander to initiate a Rejection During Probation investigation.

(d) The statewide FTEP coordinator shall be notified of the pending Rejection During Probation investigation.

(e) The statewide FTEP coordinator shall review the program files of all trainees rejected during probation.

b. Termination Procedures. Termination procedures for this Department are regulated by the California Government Code (CGC), including the Public Safety Officers Procedural Bill of Rights (POBR) Act (CGC Sections 3300-3313). These procedures are described in Highway Patrol Manual (HPM) 10.2, Internal Investigations Manual. There are three avenues of separation from the Department which apply to the FTEP. These include adverse action, rejection during probation, and resignation.

(1) Adverse Action. Adverse actions are punitive actions, and their administration is regulated by CGC Sections 19570 through 19574.5 and the POBR Act. These actions may be appealed through the State Personnel Board.

(2) Rejection During Probation. Typically, the Department initiates the termination of a trainee by utilizing the rejection during probation process. However, many trainees opt to resign in lieu of rejection during probation to avoid the possible stigma associated with going through formal termination procedures and having a termination package be a part of their personnel record.

(3) Resignation. Historically, the most common exit route is through resignation in lieu of rejection during probation. Most trainees have chosen this option to avoid the formal rejection process. While trainees may resign for any reason, it is critical the resignation be strictly voluntary. Trainees should be encouraged to seek outside advice and be given sufficient time (48 hours is normally adequate) to consult with an advisor and make a decision.

(a) If a trainee elects to resign for any reason during field training, the Area commander shall ensure the statewide FTEP coordinator is notified of the resignation.

(b) The statewide FTEP coordinator shall review the program files of all trainees who resign during field training.

3. POLICIES, PROCEDURES, AND DOCUMENTATION. Policies, procedures, and documentation related to each type of termination, as well as sample termination packages, are found in HPM 10.2.

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