

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0202

**DEADLINE FOR RECEIPT: Thursday, April 8, 2021**

***NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Please do not highlight the text that was approved by the RRC at its December 2020 meeting, as currently set forth in (c)(10) on Page 3. Since that language has been in the NCAC since January, it does not need to be shown as a current change. Also, remove the note about this from the Introductory Statement.*

*Also in the Introductory Statement, please include the publication information. "12 NCAC 09B .0202 is amended as published in 35:12 NCR 1369 with changes as follows:"*

*In (b)(4), Page 2, lines 9 and 10, these three topical areas are also three of the eight named topical areas in Rule .0304(a). Do you need to retain these specific names, or could you just say, "... With the exception of the topical areas outlined in Rule .0304(a) of this Subchapter..."?*

*In (b)(5), line 14, consider moving the semicolon outside of the quotation marks, "... Techniques;"*

*In (b)(7), line 20, as well as (d)(2), Page 4, line 33, please capitalize "State" if you mean NC.*

*In (b)(7)(B), line 24, consider replacing "such" with "those"*

*In (b)(9)(A), Page 3, line 10, please remove the errant hyphen after "subject"*

*In (b)(10), please use the language that is currently in the Code as it was amended effective January 1. Specifically:*

- Delete the "and" the end of (b)(10)(A), line 20*
- Replace the period after "form" with a semicolon at the end of (b)(10)(B), line 21*

*As this language and punctuation is currently in the Code, do not show it as a change. Simply make the changes.*

*Please begin (b)(10)(D), line 23, with an article and make it lowercase to be consistent with the rest of the Subparagraph. Perhaps "the orientation class..."?*

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: March 24, 2021

*In (c)(2)(B), Page 4, line 2, please replace the period at the end of the sentence with a semicolon to be consistent with the rest of the Rule.*

*In (c)(3)(C), line 10, please delete the comma after “rules”*

*In the History Note, Page 5, line 19, change the “01” in “January 01, 2021;” to simply “1” Since the Code currently says “January 1, 2021;”, you will not show it as a change.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

12 NCAC 09B .0202 is proposed for amendment as follows **highlighted** text pending RRC review 12.17.20

**12 NCAC 09B .0202 RESPONSIBILITIES OF THE SCHOOL DIRECTOR**

(a) In planning, developing, coordinating, and delivering each Commission-certified criminal justice training course, the School Director shall:

- (1) Formalize and schedule the course curriculum in accordance with the curriculum standards established in this Subchapter;
- (2) Select and schedule instructors who are certified by the Commission;
- (3) Provide each instructor with a current Commission course outline and all necessary additional information concerning the instructor's duties and responsibilities;
- (4) Notify each instructor that he or she shall comply with the Basic Law Enforcement Training Course Management Guide and provide him or her access to the most current version of the Course Management Guide;
- (5) Ensure each instructor utilizes Commission approved lesson plans and instructional materials;
- (6) Arrange for the availability of appropriate audiovisual aids and materials, publications, facilities, and equipment for training in all topic areas;
- (7) Develop, adopt, reproduce, and distribute any supplemental rules and requirements determined by the school to be necessary or appropriate for:
  - (A) effective course delivery;
  - (B) establishing responsibilities and obligations of agencies or departments employing or sponsoring course trainees; and
  - (C) regulating trainee participation and demeanor, ensuring trainee attendance, and maintaining performance records;
- (8) If appropriate, recommend housing and dining facilities for trainees;
- (9) Administer the course delivery in accordance with Commission approved lesson plans and course management guides;
- (10) Maintain direct supervision, direction, and control over the performance of all persons to whom any portion of the planning, development, presentation, or administration of a course has been delegated. The comprehensive final examination shall be administered by the Criminal Justice Education and Training Standards Commission; and
- (11) Report the completion of each presentation of a Commission-certified criminal justice training course to the Commission, utilizing forms required for submission, which are located on the Agency's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

(b) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each Commission-certified Basic Law Enforcement Training Course, the School Director shall:

- (1) Deliver training in accordance with the most current version of the Basic Law Enforcement Training Course Management Guide as published by the North Carolina Justice Academy;
- (2) Schedule course presentation to include 12 hours of instruction each week during consecutive calendar weeks, except that there may be as many as three one-week breaks until course requirements are completed;
- (3) Schedule only specialized instructors certified by the Commission to teach those high-liability areas as specified in Rule .0304(a) of this Subchapter as either the lead instructor or as assistant instructors or role players;
- (4) With the exception of the First Responder, Physical Fitness, Explosives and Hazardous Materials, and topical areas outlined in Rule .0304(a) of this Subchapter, schedule one specialized instructor certified by the Commission for every six trainees while engaged in a practical performance exercise;
- (5) Schedule one specialized instructor certified by the Commission for every eight trainees while engaged in a practical performance exercise in the topical area "Subject Control Arrest Techniques;"
- (6) Schedule no single individual to instruct more than 35 percent of the total hours of the curriculum during any one delivery of the Basic Law Enforcement Training Course presentation;
- (7) Not less than 30 days before commencing delivery of the Basic Law Enforcement Training Course, submit to the Commission a Pre-Delivery Report of Training Course Presentation pursuant to 12 NCAC 09C .0211. The Pre-Delivery Report (Form F-10A) shall indicate a requested date and location for the administration of the state comprehensive exam, and include the following attachments:
  - (A) a course schedule showing the arrangement of topical presentations and proposed instructional assignments; and
  - (B) a copy of any rules and requirements for the school. A copy of such rules shall also be given to each trainee and to the executive officer of each trainee's employing or sponsoring agency or department at the time the trainee enrolls in the course;
- (8) Monitor, or designate an instructor certified by the Commission to monitor, a presentation of each instructor once during each three year certification period in each topic taught by the instructor and prepare a written evaluation on the instructor's performance and suitability for subsequent instructional assignments. The observations shall be of sufficient duration to ensure that the instructor is using the Instructional System Design model, and that the delivery is objective-based, documented by, and consistent with a Commission-approved lesson plan. For each topic area, the School Director's evaluation shall be based upon the course delivery observations, the instructor's use of the approved lesson plan, and the results of the student evaluations of the instructor. For probationary instructors, the evaluations conducted by another instructor shall be prepared on the Criminal Justice Instructor Evaluation (Form F-16) and forwarded to the Commission. Based on this evaluation, the School Director shall recommend approval or denial of requests for General

- Instructor Certification. For all other instructors, these evaluations shall be prepared on the Criminal Justice Instructor Evaluation (Form F-16), be kept on file by the school for a period of three years, and shall be made available for inspection by a representative of the Commission upon request. In the event the evaluation of an instructor indicates that his or her performance was less than acceptable, the School Director shall forward a copy of the evaluation to the Commission. Any instructor who is evaluating the instructional presentation of another instructor shall hold certification in the same instructional topic area as that for which the instructor is being evaluated;
- (9) Administer or designate a staff person to administer course specific tests during course delivery:
    - (A) to determine and record the level of trainee comprehension and retention of instructional subject- matter;
    - (B) to provide a basis for a final determination or recommendation regarding the minimum degree of knowledge and skill of each trainee to function as an inexperienced law enforcement officer; and
    - (C) to determine subject or topic areas of deficiency for the application of Rule .0405(a)(3) of this Subchapter; and
  - (10) Not more than 10 days after the conclusion of a school's offering of Basic Law Enforcement Training, submit to the Commission a Post-Delivery Report of Training Course Presentation (Form F-10B) that shall include:
    - (A) a "Student Course Completion" form for each individual enrolled on the day of orientation; and
    - (B) a "Certification and Test Score Release" form.
    - (C) the "Police Officer Physical Ability Test (POPAT) Post-Course" final form; and
    - (D) Orientation class enrollment roster.
- (c) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each Commission-certified "Criminal Justice Instructor Training Course," the School Director shall:
- (1) Schedule course presentation pursuant to Rule .0209 of this Subchapter; include a minimum of 78 hours of instruction during the time period the class is taught until course requirements are completed.
  - (2) Schedule evaluators at least one evaluator for every six trainees, as follows:
    - ~~(A) no evaluator shall be assigned more than six trainees during a course delivery;~~
    - (A) ~~(B)~~ each evaluator, as well as the instructors, shall have completed a Commission-certified instructor training course or an equivalent instructor training course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise; and
    - ~~(B)~~ ~~(C)~~ each instructor and evaluator shall document successful participation in a program presented by the North Carolina Justice Academy for purposes of familiarization and

- 1                               supplementation relevant to delivery of the instructor training course and ~~trainee~~; trainee
- 2                               evaluation.
- 3               (3)       Not fewer than 30 days before commencing delivery of the course, submit to the Commission a Pre-
- 4               Delivery Report of Training Course Presentation [Form F-10A(ITC)] with the following
- 5               attachments:
- 6                       (A)       a course schedule showing the arrangement of topical presentations and proposed
- 7                               instructional assignments;
- 8                       (B)       the names and last four digits of the social security numbers of all instructors and
- 9                               evaluators; and
- 10                      (C)       a copy of any rules, and requirements for the school; and
- 11               (4)       Not more than 10 days after course completion, submit to the Commission a Post-Delivery Report
- 12               [Form F-10B(ITC)] containing the following:
- 13                      (A)       class enrollment roster;
- 14                      (B)       a course schedule with the designation of instructors and evaluators utilized in delivery;
- 15                      (C)       scores recorded for each trainee on the 70 minute skill presentation; and
- 16                      (D)       designation of trainees who completed the course in its entirety and whom the School
- 17                               Director finds to be competent to instruct.
- 18       (d) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each Commission-
- 19       certified RADAR, RADAR and Time-Distance, Time-Distance, or LIDAR speed measurement operator training
- 20       course or re-certification course, the School Director shall:
- 21               (1)       select and schedule speed measurement instrument instructors who are certified by the Commission
- 22                               as instructors for the specific speed measurement instruments in which the trainees are to receive
- 23                               instruction as follows:
- 24                      (A)       provide to the instructor the Commission form(s) for motor skill examination on each
- 25                               trainee;
- 26                      (B)       require the instructor to complete the motor skill examination form on each trainee
- 27                               indicating the level of proficiency obtained on each specific instrument; and
- 28                      (C)       require each instructor to sign each individual form and submit the original to the School
- 29                               Director;
- 30               (2)       not fewer than 30 days before the scheduled starting date, submit to the Director of the Standards
- 31               Division a Pre-Delivery Report of Speed Measuring Instrument Course Presentation [Form F-10A
- 32               (SMI)] that shall contain a period of course delivery including the proposed starting date, course
- 33               location, requested date and location for the administration of the state exam, and the number of
- 34               trainees to be trained on each type of approved speed measurement instrument. The Director of the
- 35               Standards Division shall review the request and notify the School Director within thirty business
- 36               days if the request is approved or denied; and

- (3) upon completing delivery of the Commission-certified course, and not more than 10 days after the conclusion of a school's offering of a certified RADAR, RADAR and Time-Distance, Time-Distance, or LIDAR speed measurement operator training course or re-certification course, the School Director shall notify the Commission regarding the progress and achievements of each trainee by submitting a Post-Delivery Report of Training Course Presentation [Form F-10B (SMI)]. This report shall include the original motor-skill examination form(s) completed and signed by the certified instructor responsible for administering the motor-skill examination to the respective trainee.

*History Note: Authority G.S. 17C-6;*  
*Eff. January 1, 1981;*  
*Amended Eff. November 1, 1981;*  
*Readopted w/change Eff. July 1, 1982;*  
*Amended Eff. January 1, 2015; June 1, 2013; April 1, 2009; November 1, 2007; January 1, 2006;*  
*May 1, 2004; August 1, 2000; January 1, 1996; November 1, 1993; December 1, 1987; January 1,*  
*1985;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*  
*2019;*  
*Amended Eff. July 1, 2021; January 01, 2021; July 1, 2020.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0209

**DEADLINE FOR RECEIPT: Thursday, April 8, 2021**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Please include the publication information in the Introductory Statement.*

*In the name of the Rule, please remove the "(Effective January 1, 2021)" language.*

*In (a), line 7, insert a comma after "instruction"*

*On line 8, please remove the hyphen after "15"*

*In (c)(14), line 31, please replace the comma after "testing" with a colon.*

*And in (c)(14), who will make this determination?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel

Date submitted to agency: March 24, 2021

12 NCAC 09B .0209 is proposed for amendment as follows:

**12 NCAC 09B .0209 CRIMINAL JUSTICE INSTRUCTOR TRAINING (EFFECTIVE JANUARY 1, 2021)**

(a) The Instructor Training course required for General Instructor certification shall consist of a minimum of ~~90~~ 40 hours of classroom instruction plus the time required to conduct practical exercises, student presentations, and post testing presented during a period of no more than instruction, as defined in Paragraph (c) of this Rule, within 15- business days.

(b) Each Instructor Training course shall be designed to provide the trainee with the skills and knowledge to perform the functions of a criminal justice instructor.

(c) Each Instructor Training course shall include the following identified topic areas and minimum instructional hours for each area:

(1)	Orientation and Pre-Test	<u>1 Hour</u> <del>4 Hours</del>
(2)	Instructional Systems Design (ISD)	<u>5</u> <del>8</del> Hours
(3)	Law Enforcement Instructor Liabilities and Legal Responsibilities	<u>2</u> <del>3</del> Hours
(4)	Criminal Justice Instructional Leadership	4 Hours
(5)	Lesson Plan Preparation: Professional Resources	<u>2</u> <del>3</del> Hours
(6)	Lesson Plan Development and Formatting	<u>3</u> <del>4</del> Hours
(7)	Adult Learning	<u>2</u> <del>4</del> Hours
(8)	Instructional Styles and Platform Skills	<u>5</u> <del>8</del> Hours
(9)	Classroom Management	<u>3</u> <del>4</del> Hours
(10)	Active Learning: Demonstration and Practical Exercises	<u>3</u> <del>8</del> Hours
(11)	The Evaluation Process of Learning	<u>4</u> <del>5</del> Hours
(12)	Audio Visual Aids	<u>5</u> <del>6</del> Hours
<del>(13)</del>	<del>Student 8 Minute Introductions and Video Critique</del>	<del>5 Hours</del>
<del>(14)</del>	<del>Student Performance: First 35 Minute Presentation</del>	<del>6 Hours</del>
	<del>Second 35 Minute Presentation</del>	<del>6 Hours</del>
	<del>Final 70 Minute Presentation and Review</del>	<del>8 Hours</del>
<del>13-(15)</del>	<del>Course Closing and Post-test</del>	<u>1 Hour</u> <del>4 Hours</del>

(14) Completion of tasks associated with practical exercises, student presentations, and post testing, the number of hours required to complete this portion of the curriculum shall be based on the number of enrolled students, available facilities, and number of instructors.

(d) The "Instructor Training" manual published by the North Carolina Justice Academy shall be the curriculum for instructor training courses. Copies of this publication may be inspected at the agency:

Criminal Justice Standards Division  
North Carolina Department of Justice

1 1700 Tryon Park Drive  
2 Post Office Drawer 149  
3 Raleigh, North Carolina 27602  
4 and may be purchased at the cost of printing and postage from the Academy at the following address:  
5 North Carolina Justice Academy  
6 Post Office Drawer 99  
7 Salemburg, North Carolina 28385  
8

9 *History Note: Authority G.S. 17C-6;*  
10 *Eff. January 1, 1981;*  
11 *Amended Eff. July 1, 2018; April 1, 2018; January 1, 2018; January 1, 2015; December 1, 2009;*  
12 *August 1, 2005; November 1, 1998; January 1, 1995; March 1, 1990; July 1, 1989; January 1,*  
13 *1985;*  
14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*  
15 *2019;*  
16 *Amended Eff. July 1, 2021; January 1, 2021.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0403

### **DEADLINE FOR RECEIPT: Thursday, April 8, 2021**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Please include the publication information in the Introductory Statement.*

*In (a)(1), line 14, you refer to the "State Comprehensive Examination" but on lines 19-20, it's "statewide comprehensive examination" The capitalization of this term changes throughout the Rule. Please make it consistent everywhere the term is used.*

*In (a)(2), line 25, please make "State" lowercase, as I assume you are referring to any state and not a specific one, such as NC.*

*Also on line 25, you refer to "An individual" (singular) and then "their" (plural). Please state "An individual's attendance at his or her basic law enforcement..." Please note a similar change to (a)(4), Page 3, line 1.*

*In (a)(4), Page 2, lines 7-8, this is the only place within the Rule where you point out the disqualification in 09B .0111. So that I'm clear – is this different because the other individuals in other Subparagraphs can have these convictions?*

*In (a)(4), the Parts you currently labeled as (i), (ii), and (iii) are going to be (A), (B), and (C). As these were published correctly in the Register, please change them back and do not show it as a change.*

*In (a)(4)(B), line 20, consider replacing "enumerated" with "set forth in" or state "topics required by"*

*On line 24, why is "certified" in "Commission-certified" capitalized? Please note the same question for the term in (a)(19)(B)(ii), on Page 7, line 14. It is not capitalized elsewhere.*

*And how is this certification done? Is this addressed by other rules in this Subchapter?*

*In (a)(4)(C), line 28, consider simply saying "complete the remaining topics in the legal unit..." Then delete the sentence on lines 29-31 naming those topics, as they are subject to amendment that would require amendment of this Rule.*

*On Page 3, line 2, please replace "listed above" with "of this Part"*

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: March 24, 2021

*On line 4, you end this Subparagraph with a period, but you ended previous Paragraphs with a semicolon. You then switch to ending Subparagraphs with periods in (a)(13). Please consistently end Subparagraphs with either periods or semicolons.*

*In (a)(6), line 9, I suggest deleting “and” before “who do not meet”*

*Beginning with (a)(8), line 18, please underline the new number of the Subparagraph.*

*I am just asking – (a)(9) and (10) apply to individuals who completed their training nearly 43 years ago. Do you still need these Subparagraphs? Please note the same question for (a)(11) and (12), as those guidelines ended 37 years ago.*

*In (a)(13), Page 4, line 15, consider stating “Firearms; or the Drug Enforcement Administration, as well as United States Marshals...”*

*In (a)(14), line 30, I believe the cross-reference is now Paragraph (13).*

*In (a)(16)(C), Page 5, line 36, should the cross-reference be .0505(6)(b)?*

*In (a)(16)(C)(iii), Page 6, line 4, please spell out “two” [See Rule 26 NCAC 02C .0108(9)(a)]*

*In (a)(16)(D), lines 6 through 7, what authority are you relying upon to state that the Sheriff's Commission shall not require this?*

*In (a)(19), lines 27-28, this link does not work. Please update it. I suggest replacing it with the url in Rule 09B .0202(a)(11).*

*In (a)(19)(A), line 30, replace “Paragraph (18) of this Rule” with “this Paragraph”, assuming that is what you mean.*

*In (a)(20), Page 7, line 32, did you mean to update the cross-reference to “09E .0105(a)(3)”? And note, the name of the topic is proposed to be changed to “Firearms and Qualification”*

*On Page 8, lines 1 and 2, what is the purpose of the language, “as prescribed in 12 NCAC 09E .0105.”?*

*In (d), line 10 please replace “those persons” with “the individual’s” or ‘his or her” and “their” with “his or her”*

*In the History Note, why are you citing to G.S. 93B-15.1?*

*Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.*

12 NCAC 09B .0403 is proposed for amendment as follows:

**12 NCAC 09B .0403 EVALUATION FOR TRAINING WAIVER**

(a) The Standards Division staff shall evaluate each law enforcement officer's training and experience to determine if equivalent training has been completed as specified in Rule .0402(a) of this Section. Applicants for certification with prior law enforcement experience shall have been employed in a full-time, sworn law enforcement position in order to be considered for training evaluation under this Rule. Applicants for certification with a combination of full-time and part-time experience shall be evaluated on the basis of the full-time experience only. The following criteria shall be used by Standards Division staff in evaluating a law enforcement officer's training and experience to determine eligibility for a waiver of training requirements:

- (1) Persons having completed a Commission-accredited basic training program and not having been duly appointed and sworn as a law enforcement officer within one year of completion of the program shall complete a subsequent Commission-accredited basic training program, as prescribed in Rule .0405(a) of this Section, and shall achieve a passing score on the State Comprehensive Examination prior to obtaining probationary law enforcement certification, unless the Director determines that a delay in applying for certification was not due to neglect on the part of the applicant, in which case the Director shall accept a Commission-accredited basic training program that is over one year old. The appointing agency shall request in writing the extension of the one year period, which shall not exceed 30 days from the first year anniversary of the passing of the state comprehensive examination;
- (2) Out-of-state transferees shall be evaluated to determine the amount and quality of their training and experience. Out-of-state transferees shall not have a break in service exceeding three years. At a minimum, out-of-state transferees shall have two years' full-time, sworn law enforcement experience and have completed a basic law enforcement training course accredited by the transferring State. An individual's attendance at their basic law enforcement class shall not count towards the two years' full-time sworn law enforcement experience. Prior to employment as a certified law enforcement officer, out-of-state transferees shall complete with a passing score the employing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E .0106. In addition, out-of-state transferees shall complete the Legal Unit in a Commission-accredited Basic Law Enforcement Training Course as prescribed in Rule .0205(b)(1) of this Subchapter and shall achieve a passing score on the State Comprehensive Examination within the 12 month probationary period;
- (3) Persons who have completed a 369-hour basic law enforcement training program accredited by the Commission under guidelines administered beginning October 1, 1984, have been separated from a sworn position for over one year but less than three years, and who have had a minimum of two years' experience as a full-time, sworn law enforcement officer in North Carolina shall complete the Legal Unit in a Commission-accredited Basic Law Enforcement Training Course as prescribed in Rule .0205(b)(1) of this Subchapter and shall achieve a passing score on the State Comprehensive

Examination within the 12 month probationary period. Prior to employment as a certified law enforcement officer, these persons shall complete with a passing score the employing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E;

(4) Persons who have completed a 396-hour basic law enforcement training program accredited by the Commission under guidelines administered beginning October 1, 1984, have been separated from a sworn position more than one year but less than five years and who have a minimum of two years' experience as a full-time, sworn law enforcement officer in North Carolina, who have not been convicted of a disqualifying criminal offense as listed in Rule .0111(1) of this Subchapter, and who have successfully completed the mandatory in-service training requirements pursuant to 12 NCAC 09E .0105 or 12 NCAC 10B .2005, with the exception of Firearms Training and Requalification, during each year the person was separated from a sworn position prior to employment as a certified law enforcement officer shall complete the topic areas within the following time frames:

(i) Prior to employment as a certified law enforcement officer, the person shall complete the appointing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E;

(ii) Prior to employment as a certified law enforcement officer, the person shall achieve a passing score on the practical skills testing for the First Responder, Law Enforcement Driver Training, and Subject Control Arrest Techniques topics enumerated in Rule .0205(b)(5) of this Subchapter. The person shall also successfully complete the Police Officer Physical Abilities Test. The practical skills testing and the Police Officer Physical Abilities Test may be completed either in a Commission-accredited Basic Law Enforcement Training course or under the instruction of a Commission-Certified instructor for that particular skill. The person shall also meet the requirements per Rule .0101 of this Subchapter; and

(iii) Within 12 months of being issued probationary certification, the person shall complete the topics in the legal unit of instruction in the Basic Law Enforcement Training course as set forth in Rule .0205(b)(1) of this Subchapter. The required topics include Motor Vehicle Law; Juvenile Laws and Procedures; Arrest, Search and Seizure/Constitutional Law; and ABC Laws and Procedures. The person shall achieve a passing score on the appropriate topic tests for each course. The person may undertake each of these legal unit topics of instruction either in a Commission-accredited Basic Law Enforcement Training course or under the instruction of a Commission-certified instructor for that particular topic of instruction.

An individual's attendance at their basic law enforcement class shall not count towards the two years' full-time sworn law enforcement experience. Persons who meet the criteria listed above shall be processed as a probationary certification and shall serve a one-year probationary period as defined in 12 NCAC 09C .0303.

~~(4)~~ (5) Persons out of the law enforcement profession for over one year but less than three years who have had less than two years' experience as a full-time, sworn law enforcement officer in North Carolina shall complete a Commission-accredited basic training program, as prescribed in Rule .0405(a) of this Section, and achieve a passing score on the State Comprehensive Examination;

~~(5)~~ (6) Persons out of the law enforcement profession for over three years and who do not meet the criteria of Subparagraph (4) of this Paragraph shall complete a Commission-accredited basic training program, as prescribed in Rule .0405(a) of this Section, regardless of prior training or experience, and shall achieve a passing score on the State Comprehensive Examination;

~~(6)~~ (7) Persons who separated from law enforcement employment during their probationary period after having completed a Commission-accredited basic training program and who have separated from a sworn law enforcement position for more than one year shall complete a subsequent Commission-accredited basic training program and shall achieve a passing score on the State Comprehensive Examination;

~~(7)~~ (8) Persons who separated from a sworn law enforcement position during their probationary period after having completed a Commission-accredited basic training program and who have separated from a sworn law enforcement position for less than one year shall serve a new 12 month probationary period as prescribed in Rule .0401(a) of this Section, but shall not be required to complete an additional training program;

~~(8)~~ (9) Persons who have completed a minimum 160-hour basic law enforcement training program accredited by the North Carolina Criminal Justice Training and Standards Council under guidelines administered beginning on July 1, 1973, and continuing through September 30, 1978, and who have separated from a sworn law enforcement position for over one year but less than two years shall complete the Legal Unit and the topical area entitled "Law Enforcement Driver Training" of a Commission-accredited Basic Law Enforcement Training Course as prescribed in Rule .0205(b)(1) and .0205(b)(5)(C) of this Subchapter and shall achieve a passing score on the State Comprehensive Examination within the 12 month probationary period;

~~(9)~~ (10) Persons who have completed a minimum 160-hour basic law enforcement training program accredited by the North Carolina Criminal Justice Training and Standards Council under guidelines administered beginning on July 1, 1973, and continuing through September 30, 1978, and have been separated from a sworn law enforcement position for two or more years shall complete a Commission-accredited basic training program, as prescribed in Rule .0405 of this Section, regardless of training and experience, and shall achieve a passing score on the State Comprehensive Examination;

- ~~(10)~~ (11) Persons who have completed a minimum 240-hour basic law enforcement training program accredited by the Commission under guidelines administered beginning October 1, 1978, and continuing through September 30, 1984, and have been separated from a sworn position over one year but less than three years shall complete the Legal Unit in a Commission-accredited Basic Law Enforcement Training Course as prescribed in Rule .0205(b)(1) of this Subchapter and shall achieve a passing score on the State Comprehensive Examination within the 12 month probationary period;
- ~~(11)~~ (12) Persons previously holding law enforcement certification in accordance with G.S. 17C-10(a) who have been separated from a sworn law enforcement position for over one year and who have not previously completed a minimum basic training program accredited by either the North Carolina Criminal Justice Training and Standards Council or the Commission shall complete a Commission-accredited basic training program, as prescribed in Rule .0405 of this Section, and shall achieve a passing score on the State Comprehensive Examination prior to employment;
- ~~(12)~~ (13) Individuals seeking certification with the Commission who have been appointed as Special Agents with the Federal Bureau of Investigation; United States Secret Service; Bureau of Alcohol, Tobacco and Firearms; and Drug Enforcement Administration; United States Marshals and Deputy United States Marshals, who have not had a break in service exceeding three years, shall be evaluated to determine the amount and quality of their training and experience. At a minimum, federal law enforcement officers shall have two years' full-time, sworn law enforcement experience and have completed a basic law enforcement training course as required by their appointing federal agency. Prior to employment as a certified law enforcement officer, these individuals shall complete with a passing score the employing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E .0106. These individuals shall complete the Basic Law Enforcement Training topics pursuant to 12 NCAC 09B .0205(b)(1)(A), (b)(1)(C), (b)(1)(D), (b)(1)(F), (b)(2)(A), (b)(2)(C), (b)(2)(E), (b)(2)(F), (b)(2)(I), (b)(3)(B), (b)(3)(D), (b)(4)(E), (b)(5)(A), (b)(6)(A), (b)(6)(B), (b)(6)(C), and shall achieve a passing score on the State Comprehensive Examination pursuant to 12 NCAC 09B .0406 within the 12 month probationary period. Individuals who submit to the Commission documentation of completion of training equivalent to the topics set forth in 12 NCAC 09B .0205(b)(2)(A), (b)(2)(C), (b)(2)(E), (b)(2)(F), (b)(2)(I), (b)(3)(B), (b)(3)(D), (b)(4)(E), (b)(5)(A), (b)(6)(A), (b)(6)(B), and (b)(6)(C) shall not be required to complete those topics.
- ~~(13)~~ (14) Federal law enforcement transferees other than those listed in Paragraph (12) of this Rule who have not had a break in service exceeding three years shall be evaluated to determine the amount and quality of their training and experience. At a minimum, federal law enforcement officers shall have two years' full-time, sworn law enforcement experience and have completed a basic law enforcement training course as required by their appointing federal agency. Prior to employment as a certified law enforcement officer, transferees shall complete with a passing score the employing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E .0106. At a minimum, transferees shall complete the Legal Unit in a Commission-accredited Basic

1 Law Enforcement Training Course as prescribed in Rule .0205(b)(1) of this Subchapter and shall  
2 achieve a passing score on the State Comprehensive Examination within 12 month probationary  
3 period.

4 ~~(14)~~ (15) Applicants with part-time experience who have a break in service in excess of one year shall  
5 complete a Commission-accredited basic training program, as prescribed in Rule .0405 of this  
6 Section, and shall achieve a passing score on the State Comprehensive Examination prior to  
7 employment;

8 ~~(15)~~ (16) Applicants who hold or previously held certification issued by the North Carolina Sheriffs'  
9 Education and Training Standards Commission (Sheriffs' Commission) shall be subject to  
10 evaluation based on the applicant's active or inactive certification status with the Sheriffs'  
11 Commission. A deputy sheriff certified with the Sheriffs' Commission shall be considered active if  
12 he or she has performed any law enforcement function during the previous 12 months. A deputy  
13 sheriff certified with the Sheriffs' Commission shall be considered inactive if he or she has not  
14 performed a law enforcement function during the previous 12 months.

15 (A) The Standards Division shall issue certification to an applicant holding active general  
16 certification with the Sheriffs' Commission provided that the applicant:

- 17 (i) Does not have a break in service of greater than 12 months;  
18 (ii) Has completed the mandatory in-service training requirements pursuant to 12  
19 NCAC 10B .2005 for each year certification was held; and  
20 (iii) Held active status with the Sheriffs' Commission within 12 months of the date  
21 the applicant achieved a passing score on the Basic Law Enforcement Training  
22 state comprehensive examination.

23 (B) The Standards Division shall issue certification to an applicant holding inactive  
24 certification with the Sheriffs' Commission provided that the applicant:

- 25 (i) Holds inactive probationary or general certification with the Sheriffs'  
26 Commission;  
27 (ii) Has served a minimum of 24 months of full time sworn service or does not have  
28 a break in service of greater than 12 months;  
29 (iii) Has completed the mandatory in-service training requirements pursuant to 12  
30 NCAC 10B .2005, with the exception of Firearms Training and Requalification,  
31 during each year certification was held; and  
32 (iv) Held active status with the Sheriffs' Commission within 12 months of the date  
33 the applicant achieved a passing score on the Basic Law Enforcement Training  
34 state comprehensive examination.

35 (C) An applicant awarded certification with the Sheriffs' Commission by means of the Sheriffs'  
36 Standards BLET Challenge as prescribed in 12 NCAC 10B .0505(9)(b) shall meet the  
37 following requirements in order to obtain probationary certification from the Commission:

- (i) Have a minimum of 24 months of sworn, full-time law enforcement service;
- (ii) Not have a break in service of greater than 12 months; and
- (iii) Have completed all mandatory in-service requirements pursuant to 12 NCAC 10B .0505 during the previous 2 years.

(D) An applicant who is a criminal justice officer, as defined in G.S. 17C-2(3), and who is elected Sheriff shall not be required to maintain certification with the Sheriffs' Commission for the time period he or she serves as Sheriff. The applicant's certification shall be reinstated by the Commission upon the conclusion of the period of service as Sheriff and in conformance with 12 NCAC 09C .0303.

~~(16)~~ (17) Alcohol law enforcement agents who received basic alcohol law enforcement training prior to November 1, 1993, and transfer to another law enforcement agency in a sworn capacity shall be subject to evaluation of their prior training and experience on an individual basis. The Standards Division staff shall determine the amount of training required of these applicants, based upon the type of certification held by the applicant and the length of any break in the applicant's sworn, full-time service.

~~(17)~~ (18) Wildlife enforcement officers who separate from employment with the Wildlife Enforcement Division and transfer to another law enforcement agency in a sworn capacity shall be subject to evaluation of their prior training and experience on an individual basis. The Standards Division staff shall determine the amount of training required of these applicants, based upon the type of certification held by the applicant and the length of any break in the applicant's sworn, full-time service.

~~(18)~~ (19) Active duty, guard, or reserve military members failing to complete all of the required annual in-service training topics, as defined in 12 NCAC 09E .0105 of this Chapter, due to military obligations are subject to the following training requirements as a condition for return to active criminal justice status. The agency head shall verify the person's completion of the appropriate training by submitting a statement, on Form F-9C, Return to Duty Request form. This form is located on the agency's website: <http://www.ncdoj.gov/getdoc/ac22954d-5e85-4a33-87af-308ba2248f54/F-9C-6-11.aspx>.

(A) Active duty members of the armed forces eligible for probationary certification pursuant to Paragraph (18) of this Rule and active duty, guard, or reserve military members holding probationary or general certification as a criminal justice officer who fail to complete all of the required annual in-service training topics due to military obligations for up to a period of three years shall complete the previous year's required in-service training topics, the current year's required in-service training topics, and complete with a passing score the appointing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E prior to their return to active criminal justice status;

(B) Active duty, guard, or reserve military members holding probationary or general certification as a criminal justice officer who fail to complete all of the required annual in-service training topics due to military obligations for a period greater than three years shall complete the following topic areas within the following time frames:

(i) The person shall complete the previous year's required in-service training topics, the current year's required in-service training topics, and complete the appointing agency's in-service firearms training and qualification program as prescribed in 12 NCAC 09E prior to their return to active criminal justice status;

(ii) The person shall achieve a passing score on the practical skills testing for the First Responder, Law Enforcement Driver Training, and Subject Control Arrest Techniques topics enumerated in Rule .0205(b)(5) of this Subchapter prior to returning to active criminal justice status. This practical skills testing may be completed either in a Commission-accredited Basic Law Enforcement Training course or under the instruction of a Commission-Certified instructor for that particular skill. The person shall complete one physical fitness assessment in lieu of the Fitness Assessment and Testing topic. The person shall also be examined by a physician per Rule .0104(b) of this Subchapter; and

(iii) The person shall complete some of the topics in the legal unit of instruction in the Basic Law Enforcement Training course as set forth in Rule .0205(b)(1) of this Subchapter. The required topics include Motor Vehicle Law; Juvenile Laws and Procedures; Arrest, Search and Seizure/Constitutional Law; and ABC Laws and Procedures. The person shall achieve a passing score on the appropriate topic tests for each course. The person may undertake each of these legal unit topics of instruction either in a Commission-accredited Basic Law Enforcement Training course or under the instruction of a Commission-certified instructor for that particular topic of instruction. The person shall complete each of the enumerated topics of instruction within 12 months from the beginning of his or her return to active criminal justice status.

~~(19)~~ (20) An active duty member of the armed forces who completes the basic training course in its entirety as prescribed in Rule .0405 of this Subchapter, annually completes the mandatory in-service training topics as prescribed in 12 NCAC 09E .0105, with the exception of the Firearms Qualification and Testing requirements contained in 12 NCAC 09E .0105(a)(1), for each year subsequent to the completion of the basic training course, and achieves a passing score on the state comprehensive examination as prescribed in Rule .0406 of this Subchapter within five years of separating from active duty status shall be eligible for probationary certification as prescribed in 12 NCAC 09C .0303 for a period of 12 months from the date he or she separates from active duty status in the armed forces. All mandatory in-service training topics as prescribed in 12 NCAC 09E .0105 shall

1 be completed by the individual prior to receiving probationary certification as prescribed in 12  
2 NCAC 09E .0105.

3 (b) In the event the applicant's prior training is not equivalent to the Commission's standards, the Commission shall  
4 prescribe as a condition of certification supplementary or remedial training to equate previous training with current  
5 standards.

6 (c) If certifications issued by the Commission require satisfactory performance on a written examination as part of  
7 the training, the Commission shall require the examinations for the certification.

8 (d) If an evaluation of the applicant's prior training and experience determines that required attendance in the entire  
9 Basic Law Enforcement Training Course is unnecessary, the Director of the Standards Division shall determine the  
10 amount of training those persons shall complete during their probationary period.

11 (e) The following criteria shall be used by Standards Division staff in evaluating prior training and experience of local  
12 confinement personnel to determine eligibility for a waiver of training requirements:

13 (1) Persons who hold probationary, general, or grandfather certification as local confinement personnel  
14 and separate after having completed a Commission-accredited course as prescribed in Rule .0224  
15 or .0225 of this Subchapter and have been separated for one year or more shall complete a  
16 subsequent Commission-accredited training course and achieve a passing score on the State  
17 Comprehensive Examination during the probationary period as prescribed in Rule .0401(a) of this  
18 Section;

19 (2) Persons who separated from a local confinement personnel position after having completed a  
20 Commission-accredited course as prescribed in Rule .0224 or .0225 of this Subchapter and who  
21 have been separated for less than one year shall serve a new 12 month probationary period, but shall  
22 be required to complete an additional training program;

23 (3) Applicants who hold or previously held "Detention Officer Certification" issued by the North  
24 Carolina Sheriffs' Education and Training Standards Commission shall be subject to evaluation of  
25 their prior training and experience on an individual basis. No additional training shall be required  
26 where the applicant obtained certification and successfully completed the required 120 hour training  
27 course and has not had a break in service in excess of one year; and

28 (4) Persons holding certification for local confinement facilities who transfer to a district or county  
29 confinement facility shall complete the course for district and county confinement facility personnel,  
30 as adopted by reference in Rule .0224 of this Subchapter, and achieve a passing score on the State  
31 Comprehensive Examination during the probationary period as prescribed in Rule .0401(a) of this  
32 Section.

33  
34 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10; 93B-15.1;

35 *Eff. January 1, 1981;*

36 *Amended Eff. October 1, 2017; January 1, 2017; October 1, 2016; November 1, 2014; August 1,*  
37 *2000; November 1, 1993; March 1, 1992; July 1, 1989; February 1, 1987;*

1                    *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*  
2                    *2019.*  
3                    *Amended Eff. July 1, 2021*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09E .0105

### **DEADLINE FOR RECEIPT: Thursday, April 8, 2021**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Please include the publication information in the Introductory Statement. Please be sure to note that it was published on Page 1379 of the Register.*

*In (a)(7), you refer to 10 to 12 hours, but only 8 hours will be required as set forth on line 6, correct?*

*In (b), line 31, consider beginning the sentence, "Alternatively, topics delivered..." And the language on lines 34-36 applies to the alternative method, correct?*

*In (f)(1), Page 2, lines 28-29, what is the "Firearms Training and Qualifications in-service course"? Is this intended to refer to the course in (a)(3)? If so, please update the name here.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel

Date submitted to agency: March 24, 2021

12 NCAC 09E .0105 is proposed for amendment as follows:

**12 NCAC 09E .0105 MINIMUM TRAINING SPECIFICATIONS: ANNUAL IN-SERVICE TRAINING**

(a) The following topics, specifications, and hours shall be included in each law enforcement officer's annual in-service training courses. For the purposes of this Subchapter, a credit shall be equal to one hour of traditional classroom instruction. All sworn law enforcement officers shall complete a minimum of 24 in-service training credits. The following topics, totaling ~~14~~ 16 credits, shall be specifically required:

- (1) 2022 Domestic Violence: The Psychology of Whether to Stay or Go (2 hours/credits) ~~2021 Firearms (minimum 4 credits);~~
- (2) 2022 Creating a Safety Net (2 hours/credits; Juvenile Minority Sensitivity Training) ~~2021 Legal Update (minimum 4 credits);~~
- (3) 2022 Firearms and Qualification (4 hours/credits) ~~2021 Continue to Make a Difference: Positive Engagement Stories and Studies (minimum 2 credits);~~
- (4) 2022 Legal Update (4 hours/credits);
- (5) 2022 Ethics: Preempting Misconduct and Increasing Integrity (2 hours/credits); and 2021 School Safety and Responding to School Incidents (minimum 4 credits); and
- (6) 2022 Practicing Proactive Wellness (2 hours/credits)
- ~~(7)(5)~~ Topics of Choice (10-12 hours/credits);
  - (A) Incorporating a Co-Response: Partnering with Community Professionals (2 hours/credits);  
~~Officer Awareness: Responding to Victims of Trauma (minimum 4 credits);~~
  - (B) The Process of De-escalation: Listening, Talking, Defensive Tactics (2-4 hours/credits);  
~~Patrol Vehicle Operations (minimum 4 credits);~~
  - (C) Civil Unrest: Local Leaders Discuss Lessons Learned (2 hours/credits); ~~Hemp Industry: Overview and Officer Roles (minimum 2 credits); and~~
  - (D) Subversive Groups: Maneuvering Encounters with Fringe Groups (2 hours/credits); and  
~~Physical and Mental Wellness: Building & Implementing a Plan for Improvement (minimum 2 credits).~~
  - (E) Raising the Bar: Enhancing Community Engagement (2 hours/credits)

(b) All sworn law enforcement officers shall complete a minimum of 10 in-service credits, in topics identified by their respective agency heads. The agency head may choose any topic, provided the lesson plan is written in Instructional Systems Design format and is taught by an instructor who is certified by the Commission. Topics delivered pursuant to Rule .0104(1) of this Section and National Certification Programs administered by the International Association of Directors of Law Enforcement Standards and Training (IADLEST) completed during the mandated in-service year, shall satisfy in part or in whole the topic requirements set forth by the agency head. To satisfy this requirement these topics shall not be required to be written in Instructional Systems Design format or delivered by an instructor certified by the Commission.

(c) The "Specialized Firearms Instructor Training Manual" published by the North Carolina Justice Academy shall be applied as a guide for conducting the annual in-service firearms training program. Copies of this publication may be inspected at the office of the:

Criminal Justice Standards Division  
North Carolina Department of Justice  
1700 Tryon Park Drive  
Raleigh, North Carolina 27610

and may be obtained at the cost of printing and postage from the Academy at the following address:

North Carolina Justice Academy  
Post Office Drawer 99  
Salemberg, North Carolina 28385

(d) The "In-Service Lesson Plans" published by the North Carolina Justice Academy shall be applied as a minimum curriculum for conducting the annual in-service training program. Copies of this publication may be inspected at the office of the:

Criminal Justice Standards Division  
North Carolina Department of Justice  
1700 Tryon Park Drive  
Raleigh, North Carolina 27610

and may be obtained at the cost of printing and postage from the Academy at the following address:

North Carolina Justice Academy  
Post Office Drawer 99  
Salemberg, North Carolina 28385

(e) Lesson plans are designed to be delivered in hourly increments. A student who completes an online in-service training topic shall receive the number of credits that correspond to the number of hours of traditional classroom training, regardless of the amount of time the student spends completing the course.

(f) Completion of training shall be demonstrated by passing a written test for each in-service training topic, as follows:

- (1) A written test comprised of at least five questions per credit shall be developed by the agency or the North Carolina Justice Academy for each in-service training topic requiring testing. The Firearms Training and Qualifications in-service course and topics delivered pursuant to Rule .0104(1) of this Section shall be exempt from this written test requirement;
- (2) A student shall pass each test by achieving at least 70 percent correct answers; and
- (3) A student who completes a topic of in-service training in a traditional classroom setting or online and fails the end of topic exam shall be given one attempt to re-test. If the student fails the exam a second time, the student shall complete the in-service training topic in a traditional classroom setting before taking the exam a third time.

*History Note: Authority G.S. 17C-6; 17C-10;*

1           *Eff. July 1, 1989;*  
2           *Amended Eff. January 1, 2005; November 1, 1998;*  
3           *Temporary Amendment Eff. January 1, 2005;*  
4           *Amended Eff. January 1, 2019; January 1, 2018; January 1, 2017; July 1, 2016; January 1, 2016;*  
5           *January 1, 2015; February 1, 2014; June 1 ,2012; February 1, 2011; January 1, 2010; April 1,*  
6           *2009; April 1, 2008; February 1, 2007; January 1, 2006;*  
7           *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*  
8           *2019;*  
9           *Amended Eff. January 1, 2022; January 1, 2021; January 1, 2020.*

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0414

### **DEADLINE FOR RECEIPT: Thursday, April 8, 2021**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Please include the publication information in the Introductory Statement.*

*In (a), line 4, do you need "at least" when you already have "the minimum"?*

*On line 6, there is a period before "0209" As this was published correctly in the Register, do not show it as a change; simply insert it.*

*In (c), line 9, why do you have "basic" here? This language is not in Rule 09B .0209(d).*

*On line 13, please consider making the Post Office Drawer its own line, as it is in Rule 09B .0209.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel

Date submitted to agency: March 24, 2021

12 NCAC 09G .0414 is proposed for amendment as follow:

**12 NCAC 09G .0414 INSTRUCTOR TRAINING**

(a) The Instructor Training course required for General Instructor certification shall consist of ~~a~~ at least the minimum number of ~~90~~ hours of instruction ~~presented during a continuous period of not more than two weeks~~ as defined in 12 NCAC 09B .~~0209(e)~~ 0209 to be completed within 15 business days.

(b) Each Instructor Training course shall be designed to provide the trainee with the skills and knowledge to perform the functions of a criminal justice instructor.

(c) The "Instructor Training Manual" published by the North Carolina Justice Academy shall be applied as the basic curriculum for instructor training courses. Copies of this publication may be inspected at the agency:

Criminal Justice Standards Division  
North Carolina Department of Justice  
1700 Tryon Park Drive Post Office Drawer 149  
Raleigh, North Carolina 27602

and may be purchased at the cost of printing and postage from the North Carolina Justice Academy at the following address:

North Carolina Justice Academy  
Post Office Drawer 99  
Salemberg, North Carolina 28385

*History Note: Authority G.S. 17C-6;  
Temporary Adoption Eff. January 1, 2001;  
Eff. August 1, 2002;  
Amended Eff. July 1, 2018; April 1, 2018; January 1, 2018; January 1, 2015;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.  
Amended Eff. July 1, 2021; January 1, 2021.*