

1 12 NCAC 10B .0402 is amended with changes as published in 37:02 NCR 176 as follows:

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

12 NCAC 10B .0402 PROBATIONARY CERTIFICATION

All justice officers, except those transferred or reinstated pursuant to Rule .0406 of this Section shall serve a probationary certification period of one year; provided that the one year probationary period has not been extended for cause pursuant to 12 NCAC 10B .0303(e); .0503(a); ~~or .0602(a)~~ .0602(a) or .1303(a). For certification as a deputy sheriff the probationary period begins on the date the officer took the Oath of ~~Office.~~ Office after completion of Basic Law Enforcement Training. ~~Training as described in 12 NCAC 10B .0502 and 12 NCAC 09B .0205.~~ For certification as a detention officer or telecommunicator, the probationary period begins on the date the person was appointed. ~~[appointed after the completion of the Detention Officer Certification Course or Telecommunicator Certification Course, as applicable.]~~

*History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. ; January 1, 1996; January 1, 1994; January 1, 1991;
Temporary Amendment Eff. March 1, 1998;
Amended Eff. August 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.
Amended Eff. [~~July 1, 2023~~] July 1, 2024.*

1 12 NCAC 10B .0403 is amended with changes as published in 37:02 NCR 176 as follows:

2
3 **12 NCAC 10B .0403 PROBATIONARY CERTIFICATION REQUIREMENT**

4 (a) For certification as a ~~justice officer, deputy sheriff,~~ the applicant must successfully complete Basic Law
5 Enforcement ~~Training.~~ Training as described in 12 NCAC 10B .0502 and 12 NCAC 09B .0205, and a Report of
6 Appointment ~~(Form F-4T) (Form F-4)~~ must be submitted to the Division. ~~Report of Appointment forms must be~~
7 ~~submitted to the Division by the sheriff's office no later than 10 days after the deputy sheriff has taken the Oath of~~
8 ~~Office, or the detention officer or telecommunicator has been appointed. The Division shall forward the justice~~
9 ~~officer's certification to the appointing agency.~~

10 (b) For certification as a detention officer, ~~[the applicant must successfully complete the Detention Officer~~
11 ~~Certification Course, and]~~ a Report of Appointment ~~(Form F-4T) (Form F-4)~~ must be submitted to the Division.

12 (c) For certification as a telecommunication officer, ~~[the applicant must successfully complete the Telecommunicator~~
13 ~~Certification Course, and]~~ a Report of Appointment (Form F-4T) must be submitted to the Division.

14 (d) Report of Appointment forms must be submitted to the Division by the employing agency no later than 10 days
15 after the deputy sheriff has taken the Oath of Office, or the detention officer or the telecommunicator has been
16 appointed.

17 (e) The Division shall forward the justice officer's certification to the appointing agency.

18 (b)(f) No deputy sheriff or detention officer probationary certification shall be issued by the Division prior to the
19 applicant meeting the conditions set forth in this Paragraph. As an additional requirement for probationary
20 certification, the applicant shall meet the following requirements:

- 21 (1) If the applicant for probationary certification is authorized to carry a firearm pursuant to the
22 provisions of 12 NCAC 10B .2104, the employing agency shall submit evidence of satisfactory
23 completion of the employing agency's in-service firearms training and requalification program
24 pursuant to 12 NCAC 10B .2000 and .2100; or
25 (2) If the applicant for probationary certification is not authorized to carry a firearm pursuant to the
26 provisions of 12 NCAC 10B .2104, the employing agency shall notify the Division, in writing, that
27 the applicant is not authorized to carry a firearm.

28
29 *History Note: Authority G.S. 17E-4; 17E-7;*
30 *Eff. January 1, 1989;*
31 *Amended Eff. February 1, 1998, January 1, 1996; January 1, 1994; January 1, 1991;*
32 *Temporary Amendment Eff. March 1, 1998;*
33 *Amended Eff. August 1, 1998;*
34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
35 *2018.*
36 *Amended Eff. [July 1, 2023] July 1, 2024.*

1 12 NCAC 10B .0404 is amended with changes as published in 37:02 NCR 176 as follows:

2

3 **12 NCAC 10B .0404 GENERAL CERTIFICATION**

4 (a) The Commission shall grant an officer general certification if evidence is received by the Division that the officer
5 has:

- 6 (1) complied with all of the requirements of 12 NCAC 10B .0300; and
- 7 (2) successfully completed the required training within the probationary period, period pursuant to Rule
8 .0402 of this [Chapter,] Subchapter; and
- 9 (3) detention officers and telecommunicators have completed the required training within the
10 probationary period.

11 (b) General certification is continuous from the date of issuance if:

- 12 (1) The certified officer remains continuously employed or appointed as an officer in good standing
13 with an agency and the certification has not been terminated for cause; or
- 14 (2) The certified officer, having separated in good standing from an agency, is reemployed or
15 reappointed as a justice officer within one year, year from the date of separation, and the certification
16 has not been terminated for cause.

17

18 *History Note: Authority G.S. 17E-4; 17E-7;*
 19 *Eff. January 1, 1989;*
 20 *Amended Eff. January 1, 1993;*
 21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
 22 *2018.*
 23 *Amended Eff. [July 1, 2023.] July 1, 2024.*
 24

1 12 NCAC 10B .0503 is amended with changes as published in 37:02 NCR 176-177 as follows:

2
3 **12 NCAC 10B .0503 TIME REQ/COMPLETION/BASIC LAW ENFORCEMENT TRAINING COURSE**

4 (a) Each deputy sheriff shall have completed with passing scores the accredited basic training course as prescribed in
5 12 NCAC 09B .0205 prior to obtaining probationary certification. holding temporary or probationary certification
6 shall complete a Commission-certified basic training course pursuant to 12 NCAC 09B .0405, within one year from
7 the date of his or her Oath of Office. Any deputy sheriff who does not comply with this Rule or other training
8 provisions of this Chapter shall not exercise the powers of a deputy sheriff, including the power of arrest. ~~If, however,~~
9 ~~an officer has enrolled in a Commission-certified basic law enforcement training program that concludes later than~~
10 ~~the end of the officer's probationary period, the Commission may extend the probationary period for a period not to~~
11 ~~exceed 12 months. In determining whether to grant an extension, the Commission shall consider the circumstances~~
12 ~~that created the need for the extension.~~

13 (b) Any person. Any applicant for certification who has completed a Commission-certified basic law enforcement
14 training program, but has not been duly appointed and certified in a sworn law enforcement position within one year
15 of completion of the course, shall complete a subsequent Commission-certified basic recruit law enforcement training
16 program and pass the State Comprehensive Examination pursuant to 12 NCAC 09B .0406 within the 12 month
17 probationary period. The Director shall waive this requirement to complete a subsequent Commission-certified basic
18 law enforcement training program and pass the State Comprehensive Examination and accept a course basic law
19 enforcement training program and pass the State Comprehensive Examination that was completed outside of the one
20 year time period as set forth in Paragraph (a) of this Rule unless he or she determines that a delay in applying for
21 certification was due to negligence on the part of the applicant or employing agency. The extension of the one year
22 period shall not exceed 30 days from the expiration date of a commission-certified basic law enforcement training
23 program.

24
25 *History Note: Authority G.S. 17E-4; 17E-7;*

26 *Eff. January 1, 1989;*

27 *Amended Eff. January 1, 2006; January 1, 1996; January 1, 1994; January 1, 1991;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
29 *2018;*

30 *Amended Eff. [July 1, 2023;] July 1, 2024; June 1, 2019.*

1 12 NCAC 10B .0604 is amended with changes as published in 37:02 NCR 180:

2
3 **12 NCAC 10B .0604 TRAINEE ATTENDANCE**

4 (a) Each trainee enrolled in ~~an any~~ accredited "~~Detention- Detention~~ Officer Certification Course" Course shall
5 attend all required class ~~sessions.~~ sessions pursuant to Rules .0601 and .0603 of this Subchapter. The sheriff shall be
6 responsible for the trainee's regular attendance at all required sessions of the detention officer training course.

7 (b) The school director may recognize valid reasons for class absences and may excuse a trainee from attendance at
8 specific class sessions. Valid reasons to excuse attendance are instances of illness, accident, or emergency pursuant
9 to .0605(a)(1) of this Subchapter. However, in no case may excused absences exceed ~~ten~~ 10 percent of the total
10 required class hours for the course offering pursuant to Rules .0601 and .0603 of this Subchapter.

11 (c) If the school director grants an excused absence from a class session, he shall schedule appropriate make-up
12 work of the excused class session with a Commission certified instructor pursuant to 12 NCAC 10B .0704 and
13 ensure the satisfactory completion of such work class sessions during the current course presentation or in a
14 subsequent course delivery as is permissible under 12 NCAC 10B .0605.

15 (d) A trainee shall not be eligible for administration of the State Comprehensive Examination pursuant to Rule
16 .0606 of this Subchapter nor certification for successful course completion if the cumulative total of class absences,
17 with accepted make-up ~~work~~ class sessions as set out in Paragraph (c) of this Rule, exceeds 10 percent of the total
18 required class hours of the accredited course offering pursuant to Rules .0601 and .0603 of this Subchapter and shall
19 be expediently terminated from further course participation by the school director at the time of such occurrence.

20 (e) The school director may terminate a trainee from course participation or may deny certification of successful
21 course completion where the trainee is habitually tardy to, or regularly departs early from, class meetings sessions or
22 field exercises.

23 (f) Where a trainee is enrolled in a program as required in 12 NCAC 10B .0601, attendance shall be 100 percent in
24 order to receive a successful course completion.

25
26 *History Note:* Authority G.S. 17E-4; 17E-7;

27 *Eff. January 1, 1989;*

28 *Amended Eff. January 1, 1996; January 1, 1992;*

29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
30 *2018.*

31 *Amended Eff. [November 1, 2022]/November 1, 2023.*
32
33

1 12 NCAC 10B .0605 is amended with changes as published in 37:02 NCR 181:

2
3 **12 NCAC 10B .0605 COMPLETION OF DETENTION OFFICER CERTIFICATION COURSE**

4 (a) Each trainee shall attend and satisfactorily complete a full course during a single scheduled delivery as set forth
5 in Rule .0601 of this Section unless a waiver has been granted as set forth in Rule .0603 or .1901 of this Subchapter.
6 Satisfactory completion is achieved by completion of the required topics, passing the end of block tests and passing
7 the state examination as set out in Rule .0606 of this Section. The school director may develop supplemental rules as
8 set forth in Rule .0704(a)(6) of this Subchapter, but may not add substantive courses, or change or expand the
9 substance of the courses set forth in Rule .0601 of this ~~Section~~ Section, except as provided by Rule .0603 of this
10 Section. This Rule does not prevent the instruction on local agency rules or standards; however, such instruction shall
11 not be considered or endorsed by the Commission for purposes of certification. The Director ~~may shall~~ issue prior
12 written authorization for a specified trainee's limited enrollment in a subsequent delivery of the same course where
13 the school director provides evidence that:

- 14 (1) The trainee attended and satisfactorily completed specified class hours and topics of the applicable
15 "~~Detention~~ Detention Officer Certification Course" Course but through extended absence
16 occasioned by illness, accident, or emergency was absent for more than 10 percent of the total class
17 hours of the course offering;
- 18 (2) The trainee was granted excused absences by the school director that did not exceed ~~ten~~ 10 percent
19 of the total class hours for the course offering and the school director could not schedule appropriate
20 make-up work during the current course offering as specified in Rule .0604(c) of this Section; or
- 21 (3) The trainee participated in an offering of ~~the any~~ "~~Detention~~ Detention Officer Certification Course"
22 Course but had an identified deficiency in essential knowledge or skill in no more than three of the
23 specified topic areas incorporated in the course content as set forth in Rule .0601(b) or .0603 of this
24 Section.

25 (b) An authorization of limited enrollment in a subsequent course delivery ~~may shall~~ not be granted by the Director
26 unless in addition to the evidence required by Paragraph (a) of this Rule:

- 27 (1) The trainee submits a written request to the Director, justifying the limited enrollment and certifying
28 that the trainee's participation shall be accomplished pursuant to Paragraph (c) of this Rule; and
- 29 (2) The school director of the previous school offering submits to the ~~director~~ Director a certification
30 of the particular topics and class hours attended and satisfactorily completed by the trainee during
31 the original enrollment.

32 (c) An authorization of limited enrollment in a subsequent course delivery permits the trainee to attend an offering of
33 ~~the any~~ "Detention Officer Certification Course" commencing within 180 calendar days from the last date of trainee
34 participation in prior course delivery, but only if the trainee's enrollment with ~~active current~~ active current course participation can
35 be accomplished within the period of the trainee's probationary ~~certification:~~ certification.

- 1 (1) The trainee need attend and satisfactorily complete only those portions of the course which were
2 missed or identified by the school director as areas of trainee deficiency in the initial course
3 participation.
- 4 (2) Following authorized enrollment in the subsequent course offering, scheduled class attendance and
5 ~~active~~ participation with satisfactory achievement in the ~~course, course~~ as defined in Paragraph (a)
6 ~~of this Rule,~~ the trainee shall be eligible for administration of the State Comprehensive Examination
7 by the Commission.
- 8 (3) A trainee shall be enrolled as a limited enrollee in only one subsequent course offering within the
9 180 calendar days from the last date of trainee participation in prior course delivery. A trainee who
10 fails to complete those limited portions of the course after one retest shall enroll in an entire delivery
11 of the Detention Officer Certification Course.
- 12 (d) A trainee who is deficient in four or more subject-matter or topical areas at the conclusion of the course delivery
13 shall complete ~~a subsequent program in its entirety,~~ an entire delivery of the Detention Officer Certification Course.
14

15 *History Note:* Authority G.S. 17E-4; 17E-7;
16 Eff. January 1, 1989;
17 Amended Eff. February 1, 2014; August 1, 1998; January 1, 1996; January 1, 1993; January 1,
18 1992; January 1, 1991;
19 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,
20 2018.
21 Amended Eff. ~~November 1, 2022~~ November 1, 2023.
22

1 12 NCAC 10B .0606 is amended with changes as published in 37:02 NCR 181-182:

2
3 **12 NCAC 10B .0606 COMP WRITTEN EXAM – DETENTION OFFICER CERTIFICATION COURSE**

4 (a) At the conclusion of a school's offering of ~~the any "Detention~~ Detention Officer Certification Course", Course,
5 an authorized representative of the Commission shall administer a comprehensive written examination to each trainee
6 who has satisfactorily completed all of the required course work pursuant to Rule .0605(a) of this Subchapter. A
7 trainee shall not be administered the comprehensive written examination until such time as all required course work
8 is successfully completed pursuant to Rule .0605(a) of this Subchapter.

9 (b) The examination shall be comprised of four units as specified in 12 NCAC 10B .0601(b). Each unit is designed
10 to test the trainees' proficiency in that unit.

11 (c) The Commission's representative shall submit to the school director within 10 days of the administration of the
12 examination a report of the results of the test for each trainee examined.

13 (d) A trainee shall successfully complete the comprehensive written examination upon achieving a minimum of 70
14 percent correct answers on each of the four units as prescribed in 12 NCAC 10B .0601(b).

15 (e) A trainee who has fully participated in a scheduled delivery of ~~a certified training course~~ any Detention Officer
16 Certification Course and has demonstrated satisfactory competence in each required motor-skill or performance area
17 of the course curriculum but has failed to achieve the minimum score of 70 percent on any of the four units of the
18 Commission's comprehensive written examination may request the Director to authorize a re-examination of the
19 trainee in those units for which he or she has failed to make a passing score of 70 percent as follows:

- 20 (1) A trainee's request for re-examination shall be made in writing on the Commission's form within 30
21 days after the original examination and shall be received by the Division before the expiration of
22 the trainee's probationary certification as a detention officer.
- 23 (2) The trainee's request for re-examination shall include the favorable recommendation of the school
24 director who administered the trainee's ~~"Detention~~ Detention Officer Certification Course", Course.
- 25 (3) A trainee shall have only one opportunity for re-examination and shall satisfactorily complete the
26 subsequent unit examination in its entirety within 90 days after the original examination.
- 27 (4) A trainee shall be assigned in writing by the Division a place, time, and date for re-examination.
- 28 (5) Should the trainee on re-examination not achieve the prescribed minimum score of 70 on the unit
29 re-examination, the trainee shall not be given successful course completion and must enroll and
30 successfully complete the unit(s) he or she failed upon re-examination in a subsequent course
31 offering within 180 days of the second failure before further examination may be permitted. The
32 trainee's failure to complete the course offering within 180 days shall require the trainee to complete
33 an entire delivery of the Detention Officer Certification Course.

34
35 *History Note: Authority G.S. 17E-4; 17E-7;*

36 *Eff. January 1, 1989;*

37 *Amended Eff. August 1, 2011; August 1, 2002; January 1, 1996; January 1, 1994; January 1, 1992;*

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
2 *2018.*
3 *Amended Eff. [~~November 1, 2022~~/November 1, 2023.*

1 12 NCAC 10B .0607 is amended with changes as published in 37:02 NCR 182:

2
3 **12 NCAC 10B .0607 SATISFACTION OF MINIMUM TRAINING REQUIREMENTS**

4 In order to satisfy the minimum training requirements for certification as a detention officer, a trainee shall:

- 5 (1) achieve a score of 70 percent correct answers on the Commission-administered comprehensive
6 written examination;
- 7 (2) demonstrate successful completion of an accredited offering of ~~the any "Detention~~ Detention Officer
8 Certification ~~Course~~ Course as shown by the certification of the school director; and
- 9 (3) obtain the recommendation of the trainee's school director that the trainee possesses at least the
10 minimum degree of general attributes, knowledge, and skill to function as an inexperienced
11 detention officer as evidenced by successful course completion pursuant to rule .0606. **An**
12 **inexperienced detention officer is an officer that has no prior experience performing the duties of a**
13 **detention officer as defined in 12 NCAC 10B .0103(13).**

14
15 *History Note: Authority G.S. 17E-4; 17E-7;*

16 *Eff. January 1, 1989; June 21, 2022*

17 *Amended Eff. January 1, 1996; January 1, 1992;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
19 *2018.*

20 *Amended Eff. [~~November 1, 2022~~]/November 1, 2023.*

1 12 NCAC 10B .0702 is amended with changes as published in 37:02 NCR 182:

2

3 **12 NCAC 10B .0702 ADMINISTRATION OF JUSTICE OFFICER SCHOOLS**

4 The rules covering the administration of Criminal Justice Schools and training programs or courses of instruction,
5 codified as Title 12, Subchapter 9B, Section .0200 of the North Carolina Administrative Code, effective and previously
6 adopted by the North Carolina Criminal Justice Education And Training Standards Commission are hereby
7 incorporated by reference and shall automatically include any later amendments and editions of the incorporated
8 material to apply to actions of the North Carolina Sheriffs' Education and Training Standards ~~Commission~~
9 ~~Commission.~~ ~~with the exception of the~~ ~~This rule is not applicable to any~~ Detention Officer Certification Course ~~and~~
10 ~~the~~ ~~or~~ Telecommunicator Certification Course. Copies of the incorporated materials may be obtained at no cost from
11 the Criminal Justice Standards Division, North Carolina Department of Justice, 1700 Tryon Park Drive, Post Office
12 Drawer 149, Raleigh, North Carolina 27692, or at [http://ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-](http://ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-Standards/Criminal-Justice-Education-and-Training-Standards/Training-Certification-Programs.aspx)
13 [Standards/Criminal-Justice-Education-and-Training-Standards/Training-Certification-Programs.aspx](http://ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-Standards/Criminal-Justice-Education-and-Training-Standards/Training-Certification-Programs.aspx).

14

15 *History Note: Authority G.S. 17E-4;*

16 *Eff. January 1, 1989;*

17 *Amended Eff. January 1, 1996; January 1, 1990;*

18 *Temporary Amendment Eff. March 1, 1998;*

19 *Amended Eff. November 1, 2013; August 1, 1998;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
21 *2018.*

22 *Amended Eff. [~~November 1, 2022~~]November 1, 2023.*

23

1 12 NCAC 10B .0704 is ~~amended~~ **adopted** with changes as published in 37:13 NCR 933-935:

2
3 **12 NCAC 10B .0704 RESPONSIBILITIES: ~~SCHOOL~~ SCHOOLS DIRECTORS, AND DETENTION**
4 **OFFICER COURSE COURSES**

5 (a) In planning, developing, coordinating, and delivering any commission-certified Detention Officer Certification
6 Courses, the school shall:

7 (1) Formalize and schedule the course curriculum in accordance with the curriculum standards
8 established by the rules in this Chapter.

9 (A) Any Detention Officer Certification Course shall be presented with a minimum of 40 hours
10 of instruction each week during consecutive calendar weeks until course requirements are
11 completed, with the exception of weeks in which there are regularly scheduled holidays
12 pursuant to G.S. 103-4.

13 (B) Upon written request by the school delivering a class, the Director shall grant a waiver of
14 the minimum hours requirement to that particular delivery of the class when illness,
15 adverse weather, staffing shortages at the school or law enforcement agency employing the
16 students or hosting the course, a declared state of emergency, incident requiring an
17 emergency response by law enforcement, or riot prevent students from attending class or
18 the school from staffing instructors for the class for 40 hours of instruction a week.

19 (2) Select and schedule instructors who are certified by the Commission under 12 NCAC 10B .0901
20 through 12 NCAC 10B .0909. The selecting and scheduling of instructors is subject to special
21 requirements as follows:

22 (A) No single instructor may be scheduled to instruct more than 35 percent of the total hours
23 of the curriculum during any Detention Officer Certification Course delivery except as set
24 forth in Part (a)(2)(B) of this Rule.

25 (B) Where the school submits in writing to the Director of the Division a showing of
26 exceptional or emergency circumstances, the Director of the Division shall grant written
27 approval for the expansion of the individual instructional limitation. Emergencies
28 justifying an instructor to teach more than 35 percent of a Detention Officer Certification
29 Course are situations when illness, accident, or other exceptional circumstances make it
30 unfeasible to staff the class with other certified instructors.

31 (C) The appropriate number of instructors for specific topic areas shall be scheduled as required
32 in 12 NCAC 10B .0703.

33 (3) Provide each instructor with a Commission-approved course outline and inform each instructor of
34 their duties and responsibilities as specified in the Commissions' regulations and Detention Officer
35 Certification Course Manual and Course Management ~~Guide.~~ **Guide pursuant to 12 NCAC 10B**
36 **.0601.**

- 1 (4) Review each instructor's lesson plans and other instructional materials for conformance to the rules
2 in this ~~Chapter~~ Subchapter and to minimize repetition and duplication of subject matter.
- 3 (5) Arrange for the ~~timely~~ availability of audiovisual aids and materials, publications, facilities and
4 equipment for training in all topic areas as required in any ~~Detention~~ "Detention Officer
5 Certification Course Management Guide" as published by the North Carolina Justice Academy ~~and~~
6 ~~adopted by the Commission~~ which shall be used as the basic curriculum for ~~the~~ Detention Officer
7 Certification ~~Course.~~ Courses. Copies of this manual may be obtained by contacting the North
8 Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina 28385-0099. The cost
9 of this manual, CD, indexes and binder is ~~fifty one dollars and seventy five cents (\$51.75)~~ ~~one~~
10 ~~hundred seven dollars and seventy cents (\$107.70)~~ at the time this Rule was last amended. The
11 "Detention Officer Certification Course Management Guide" published by the North Carolina
12 Justice Academy ~~and adopted by the Commission~~ is hereby incorporated by reference, including
13 subsequent amendments and editions, and shall be used by school directors in planning,
14 implementing, and delivering basic detention officer training. The standards and requirements
15 established by the "Detention Officer Certification Course Management Guide" shall be adhered to
16 by the school director. The ~~Justice Academy~~ "Detention Officer Certification Course Management
17 ~~Guide"~~ ~~shall~~ ~~is available at the Justice Academy~~ to each certified school director ~~a copy of the guide~~
18 at the time of certification at no cost to the certified school.
- 19 (6) If the ~~School~~ school adopts ~~rules~~ rules, regulations, and requirements that ~~exceeds~~ exceed the
20 minimum requirements of this Subchapter regarding the delivery of a Detention Officer
21 Certification ~~course.~~ Course, the school shall submit ~~the rules, regulations, and requirements~~ to
22 the Director as an ~~Attachment~~ attachment to the Pre-Delivery Report of Training Course
23 Presentation, Form F-7A. A copy of such rules shall also be given to each trainee and to the sheriff
24 of each trainee's employing agency at the time the trainee enrolls in the course.
- 25 ~~(7) — A copy of such rules, regulations and requirements adopted by the school pursuant to Subparagraph~~
26 ~~(a)(6) of this Rule shall be submitted to the Director as an attachment to the Pre-Delivery Report of~~
27 ~~Training Course Presentation, Form F-7A. A copy of such rules shall also be given to each trainee~~
28 ~~and to the sheriff or agency head of each trainee's employing agency at the time the trainee enrolls~~
29 ~~in the course.]~~
- 30 ~~(8)~~(7) Not less than 30 days before commencing delivery of the course, submit to the Commission a
31 Pre-Delivery Report of Training Course Presentation (Form F-7A) that shall contain information on
32 the course delivery location, school director, class schedule, anticipated date of the State
33 Comprehensive Exam, and any planned instructional hours in addition to the minimum requirements
34 along with the following attachments:
- 35 (A) A comprehensive course schedule showing the arrangement of topical presentations and
36 proposed instructional assignments;

1 (B) A copy of any rules, regulations, and requirements for the school and, when appropriate,
2 completed applications for certification of instructors. The Director shall review the
3 submitted Pre-Delivery Report together with all attachments to ensure that the school is in
4 compliance with all Commission rules; if the school's rules are found to be in violation, the
5 Director shall notify the school of any deficiency, and approval shall be withheld until all
6 matters are in compliance with the Commissions' rules.

7 ~~(9)~~(8) ~~[Shall have]~~ ~~Have~~ probationary instructors evaluated by an instructor certified pursuant to 12 NCAC
8 10B .0905 or certified as a general instructor pursuant to 12 NCAC 09B .0301 using Form F-16. If
9 a Limited Lecturer is evaluated during the practical portion of a block of instruction, the school must
10 designate an instructor certified to instruct the practical portion of the block of instruction to evaluate
11 the instructor using Form F-16. These evaluations on Form F-16 shall be submitted to the Division
12 at the conclusion of each course delivery. Based on the evaluation referenced in 12 NCAC 10B
13 .0905(b)(1), the school shall recommend approval or denial of requests for Detention Officer
14 Instructor Certification, Limited Lecturer Certification, or Professional Lecturer Certification. The
15 observations shall ensure the instructor is using the Instructional Systems Design model, as taught
16 in Criminal Justice Instructor Training set out in 12 NCAC 09B .0209, and that the delivery follows
17 the training objectives in the commission-approved lesson plan curriculum. For each topic area, the
18 designee's evaluation shall be based on the course delivery observations, the instructor's use of the
19 approved lesson plan, and the results of student evaluations of the instructor.

20 ~~(40)~~(9) ~~[Shall have]~~ ~~Have~~ all other instructors evaluated by an instructor certified pursuant to 12 NCAC
21 10B .0905 or certified as a general instructor pursuant to 12 NCAC 09B .0301 using Form F-16. If
22 a Limited Lecturer is evaluated during the practical portion of a block of instruction, the school must
23 designate an instructor certified to instruct the practical portion of the block of instruction to evaluate
24 the instructor using Form F-16. These evaluations on Form F-16 shall be submitted to the Division
25 at the conclusion of each course delivery. The observations shall ensure the instructor is using the
26 Instructional Systems Design model, as taught in Criminal Justice Instructor Training set out in 12
27 NCAC 09B .0209, and that the delivery follows the training objectives in the commission-approved
28 lesson plan. For each topic area, the designee's evaluation shall be based on the course delivery
29 observations, the instructor's use of the approved lesson plan, and the results of student evaluations
30 of the instructor. [Form F-16 shall contain information on the instructor, evaluator, courses taught
31 and observed, location and time of delivery, sponsoring agency, and evaluation of instructor
32 performance based upon instructor ability and use of instructional strategies taught in the Criminal
33 Justice Instructor Training.]

34 ~~(41)~~(10) Ensure that any designated certified instructor who is evaluating the instructional presentation of
35 another, holds certification in the same instructional topic area as that being taught.

36 ~~(42)~~(11) Administer tests at the end of each topic area as specified in 12 NCAC 10B .0601 during the course
37 delivery.] delivery.

1 ~~(13)~~(12) Maintain supervision, direction, and control over the performance of all persons to whom any
2 portion of the planning, development, presentation, or administration of a course has been assigned.

3 ~~(14)~~(13) Administer all course work pursuant to 12 NCAC 10B .0606.

4 ~~(15)~~(14) Submit to the Commission a Post-Delivery Report of Training Course Presentation (Form 7-B),
5 which shall contain information on the sponsoring agency, course beginning and end date, and
6 deviations from the planned course delivery as specified on Form 7-A, within 10 days of receiving
7 the Commission's Report of Examination Scores.

8 (b) In addition to the requirements in Paragraph (a) of this Rule, the school shall designate a point of contact who
9 shall be available to students and Division staff at all times during course delivery by telephone or other means.
10 Available means that the point of contact may be contacted at any time of day or night by students, school personnel,
11 or division staff and shall return the call or other means of communication within 12 hours of contact if initial contact
12 is not successful. The means, and applicable numbers, shall be filed with the commission-certified training delivery
13 site pursuant to Rule .0703(c)(3) of this Subchapter and the Division prior to the beginning of a scheduled course
14 delivery.

15 (c) The Commission shall examine the Detention Officer Certification Course Management Guide and Detention
16 Officer Certification Course Training Manual developed by the North Carolina Justice Academy and vote by simple
17 majority on whether to approve them as setting the curriculum and course management requirements for ~~the~~ any
18 Detention Officer Certification Course. Subsequent substantive changes to either the Training Manual or Course
19 Management Guide must be approved by a majority vote by the Commission.

20 (d) Forms:

21 (1) Form F-7A and F-7A-T, Pre-Delivery Report of Training Course Presentation, is completed by the
22 institution or agency delivering Detention Officer and Telecommunicator Training Courses and
23 consists of information on the course delivery location, school director, class schedule, anticipated
24 date of the State Comprehensive Exam, and any planned instructional hours exceeding the minimum
25 requirements. Form F-7A is utilized for Detention Officer courses and Form F-7A-T is utilized for
26 Telecommunicator courses.

27 (2) Form F-7B and F-7B-T, Post-Delivery Report of Training Course Presentation, is completed by the
28 institution or agency delivering Detention Officer and Telecommunicator Training Courses and
29 consists of information on any substitutions of instructors as originally reported on the Pre-Delivery
30 Report, any trainees who were not recommended for the state exam due to withdrawal or
31 deficiencies, and the students who participated in and completed the course. Form F-7B is utilized
32 for Detention Officer courses and Form F-7B-T is utilized for Telecommunicator courses.

33 (3) Form F-16, Criminal Justice Instructor Evaluation, is completed by the Certified School Director
34 and In-Service Coordinator of the school and consists of a rating of instructional ability, student
35 participation, and presentation of the lesson plan by the Instructor.

1 *History Note: Authority G.S. 17E-4;*
2 *Eff. January 1, 1989;*
3 *Amended Eff. November 1, 2022, January 1, 2009; January 1, 2006; January 1, 2005; August 1,*
4 *1998; January 1, 1996; January 1, 1994; January 1, 1992;*
5 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
6 *2018.*
7 *RRC Objection July 21, 2022 and rule returned to agency on September 27, 2022.*
8 *Amended Eff. [August 1, 2023.] September 1, 2023.*
9
10

1 12 NCAC 10B .0705 is amended with changes as published in 37:02 NCR 185-186:

2
3 **12NCAC 10B .0705 QUALIFICATIONS TO ACT AS SCHOOL DIRECTORS**

4 Any person designated to act as, or who performs the duties of, a school director in the delivery or presentation of a
5 any commission-accredited Detention Officer Certification Course ~~detention officer training course~~ shall meet
6 maintain the following qualifications criteria ~~prior to commencing duties as such~~. Any designated school director will
7 to continuously maintain these qualifications during service ~~serve~~ as a school director.

- 8 (1) Submit a written designation as school director executed by the executive officer of the institution
9 or agency currently accredited, or which may be seeking accreditation, by the Commission to make
10 presentation of accredited training programs;
- 11 (2) Be certified as a criminal justice instructor by the North Carolina Criminal Justice Education and
12 Training Standards Commission;
- 13 (3) Attend or must have attended the most current offering of the school director's orientation as
14 developed and presented by the Commission staff;
- 15 (4) Attend or must have attended the most current offering of the school director's conference as
16 presented by the Commission staff and staff of the North Carolina Criminal Justice Education and
17 Training Standards Commission and Standards Division;
- 18 (5) Not have had any type of certification issued from this Commission, from the North Carolina
19 Criminal Justice Education and Training Standards Commission, or from any commission, agency,
20 or board established to certify pursuant to said commission, agency or boards' standards, which was
21 revoked, suspended or denied for cause and such period of sanction is still in effect at the time of
22 designation;
- 23 (6) Perform the duties and responsibilities of a school director as specifically required in Rule .0704;
- 24 (7) Maintain an updated copy of the "Detention Officer Certification Training Manual" assigned to each
25 accredited school; and
- 26 (8) Ensure compliance with the Commission's accreditation requirements as set forth in 12 NCAC 10B
27 .0703 and .0802.

28
29 *History Note: Authority G.S. 17E-4;*
30 *Eff. January 1, 1989;*
31 *Amended Eff. August 1, 2002; August 1, 1998; January 1, 1996; January 1, 1992; January 1, 1991;*
32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
33 *2018.*
34 *Amended Eff. November 1, 2022/November 1, 2023.*
35

1 12 NCAC 10B .0714 is ~~amended adopted~~ with changes as published in 37:02 NCR 187:

2

3 **12 NCAC 10B .0714 PILOT COURSE PRESENTATION/PARTICIPATION**

4 (a) When the Commission approves the development of a new course or the development of a new version of an
5 existing course, the Commission shall designate the developer, and such designation shall be deemed by the
6 Commission as approval for the developer to conduct [pilot] offerings of [the] a pilot course. [A minor or major
7 revision to existing curriculum does not constitute a new version of an existing curriculum.]

8 (b) "Pilot Course" means those courses approved by the Commission to develop new training course curricula.

9 ~~(b)~~ (c) Individuals who complete such a pilot course offering shall not be required by other rules of this Subchapter to
10 complete additional training for that specific certification program. Such pilot training courses shall be recognized for
11 purposes of certification or recertification.

12

13 History Note: Authority G.S. 17E-7;

14 ~~[Amended]~~ Eff. [November 1, 2022] November 1, 2023.

15

1 12 NCAC 10B .0803 is amended with changes as published in 37:02 NCR 187-188:

2
3 **12 NCAC 10B .0803 REPORTS/DETENTION OFFICER CERT COURSE PRESENTATION/**
4 **COMPLETION**

5 **(a)** Each presentation of ~~the~~ any Detention Officer Certification Course shall be reported to the Commission as follows:

- 6 (1) After acquiring accreditation for the course and before commencing each delivery of the course, the
7 school **director** shall, no less than 30 days prior to the scheduled delivery, notify the Division of the
8 school's intent to offer the training course by submitting a Pre-Delivery Report of Training Course
9 Presentation (Form F-7A); and
10 (2) Upon completing delivery of the accredited course, and not more than ten days after receiving from
11 the Commission's representative the Report of Examination Scores, the school **director** shall notify
12 the Division regarding the progress and achievement of each enrolled trainee by submitting a
13 Post-Delivery Report of Training Course Presentation (Form F-7B). ~~This report shall also include~~
14 ~~each trainee's reading grade level as determined by testing required in 12 NCAC 10B .0601(c).~~

15 **(b) Forms:**

16 **(1) Form F-7A and F-7A-T, Pre-Delivery Report of Training Course Presentation, is completed by the**
17 **institution or agency delivering Detention Officer and Telecommunicator Training Courses and**
18 **consists of information on the course delivery location, school director, class schedule, anticipated**
19 **date of the State Comprehensive Exam, and any planned instructional hours exceeding the minimum**
20 **requirements. Form F-7A is utilized for Detention Officer courses and Form F-7A-T is utilized for**
21 **Telecommunicator courses.**

22 **(2) Form F-7B and F-7B-T, Post-Delivery Report of Training Course Presentation, is completed by the**
23 **institution or agency delivering Detention Officer and Telecommunicator Training Courses and**
24 **consists of information on any substitutions of instructors as originally reported on the Pre-Delivery**
25 **Report, any trainees who were not recommended for the state exam due to withdrawal or**
26 **deficiencies, and the students who participated in and completed the course. Form F-7B is utilized**
27 **for Detention Officer courses and Form F-7B-T is utilized for Telecommunicator courses.**

28
29 *History Note: Authority G.S. 17E-4; 17E-7;*
30 *Eff. January 1, 1989;*
31 *Amended Eff. January 1, 1996; January 1, 1992;*
32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
33 *2018.*
34 *Italicized amendments have previously been published and are effective January 1, 2023.*
35 *Amended Eff. [November 1, 2022]/November 1, 2023.*
36

1 12 NCAC 10B .0901 is amended with changes as published in 37:02 NCR 188:

2
3 **SECTION .0900- MINIMUM STANDARDS FOR JUSTICE OFFICER INSTRUCTORS**

4
5 **12 NCAC 10B .0901 CERT/INSTRUCTORS/BASIC LAW ENFORCEMENT TRAINING COURSE**

6 The rules covering the certification of instructors, codified as Title 12, Subchapter 9B, Section .0300 of the North
7 Carolina Administrative Code, and adopted by the North Carolina Criminal Justice Education and Training Standards
8 Commission, are hereby incorporated by reference, and shall automatically include any later amendments and editions
9 of the referenced materials, to apply to actions of the North Carolina Sheriffs' Education and Training Standards
10 ~~Commission~~ Commission, ~~with the exception of instructors for the~~ This rule is not applicable to any Detention Officer
11 Certification Course ~~and or~~ Telecommunicator Certification Course. Copies of the publication may be obtained from
12 the Office of Administrative Hearings, Rules Division web-site <http://www.ncoah.com/rules>.

13
14 *History Note: Authority G.S. 17E-4;*
15 *Eff. January 1, 1989;*
16 *Amended Eff. January 1, 2013; January 1, 1996; January 1, 1994; June 1, 1992; January 1, 1992;*
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
18 *2018.*
19 *Amended Eff. ~~November 1, 2022~~/November 1, 2023.*

1 12 NCAC 10B .0903 is amended with changes as published in 37:02 NCR 188:

2
3 **12 NCAC 10B .0903 CERT: INSTRUCTORS FOR DETENTION OFFICER CERTIFICATION**
4 **COURSE**

5 (a) Any person participating in a any commission-certified Detention Officer Certification Course as an instructor,
6 teacher, professor, lecturer, or other participant making presentations to the class shall first be certified by the
7 Commission as an ~~instructor~~ instructor pursuant to rules .0905, .0907, and .0909 of this Subchapter.

8 (b) The Commission shall certify Detention Officer Certification Course instructors under the following categories:

- 9 (1) Detention Officer Instructor Certification;
10 (2) Professional Lecturer Certification; or
11 (3) Limited Lecturer Certification as outlined in Rules .0904, .0906 and .0908 of this Section.

12 (c) In addition to all other requirements of this Section, all instructors certified by the Commission to teach in a any
13 commission-certified Detention Officer Certification Course shall remain knowledgeable and attend and complete any
14 instructor training updates related to curriculum content and delivery as may be offered by the Commission approved
15 curriculum developer and within the time period as specified by the Commission approved curriculum developer.

16
17 *History Note: Authority G.S. 17E-4;*

18 *Eff. January 1, 1989;*

19 *Amended Eff. January 1, 2005; August 1, 1998; January 1, 1996; January 1, 1990;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
21 *2018.*

22 *Amended Eff. ~~November 1, 2022~~ November 1, 2023.*
23

1 12 NCAC 10B .0906 is amended with changes as published in 37:02 NCR 188:

2

3 **12 NCAC 10B .0906 PROFESSIONAL LECTURER CERTIFICATION**

4 (a) The Commission may issue Professional Lecturer Certification to a licensed attorney-at-law or a person with a
5 law degree to teach "Legal Aspects of Jail Management and Administration" or other approved Detention Officer
6 Certification Course legal block in the any Detention Officer Certification Course **if they apply and meet the criteria**
7 **set out in Rule .0907 of this Subchapter.**

8 (b) To be eligible for such certification an applicant shall present documentary evidence demonstrating that the
9 applicant has:

- 10 (1) graduated from an accredited law school;
- 11 (2) obtained the endorsement of a commission recognized school director who shall:
 - 12 (A) recommend the applicant for certification as a professional lecturer; and
 - 13 (B) describe the applicant's expected participation, topical areas, duties and responsibilities.

14

15 *History Note: Authority G.S. 17E-4;*
16 *Eff. January 1, 1989;*
17 *Amended Eff. January 1, 1996; January 1, 1994; January 1, 1992;*
18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
19 *2018.*
20 *Amended Eff. [~~November 1, 2022~~]November 1, 2023.*
21

1 12 NCAC 10B .0910 is amended with changes as published in 37:02 NCR 188:

2

3 **12 NCAC 10B .0910 USE OF GUEST PARTICIPANTS**

4 The use of guest participants in a delivery of the any Detention Officer Certification Course is permissible with the
5 exception of those topic areas requiring instructors certified pursuant to 12 NCAC 10B .0908 and .0909. Such guest
6 participants are subject to the direct on-site supervision of a commission-certified instructor and must be authorized
7 by the school director. A guest participant shall only be used to complement the primary certified instructor of the
8 topic area and shall in no way replace the primary instructor. Instructors certified pursuant to 12 NCAC 10B .0908
9 and .0909 shall be the primary presenter at each class session of every offering of any Detention Officer Certification
10 Course. A guest participant in a class session shall only be used to complement the instructor, and the instructor shall
11 have direct on-site supervision of the guest participants.

12

13 *History Note: Authority G.S. 17E-4;*
14 *Eff. January 1, 1992;*
15 *Amended Eff. August 1, 1998; January 1, 1996;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
17 *2018.*
18 *Amended Eff. ~~November 1, 2022~~/November 1, 2023.*

1 12 NCAC 10B .1302 is amended with changes as published in 37:13 NCR 935-936:

2
3 **12 NCAC 10B .1302 TELECOMMUNICATOR CERTIFICATION COURSE**

4 (a) The Commission hereby ~~accredits~~ **[adopts]** **[approves]** as its telecommunicator certification training program, the
5 47-hour Telecommunicator Certification Course developed by the North Carolina Justice Academy.

6 (b) Each Telecommunicator Certification Course shall include the following identified topic areas and ~~approximate~~
7 minimum instructional hours for each area:

8 (1) Orientation	2 hours
9 (2) Introductory Topics for the Telecommunicator	2 3 hours
10 (3) Interpersonal Communication	4 2 hours
11 (4) Civil Liability for the Telecommunicator	4 5 hours
12 (5) Telecommunications Systems and Equipment	2 3 hours
13 (6) Overview of Emergency Services	9 7 hours
14 (7) Communications Resources	2 hours
15 (8)(7) Call Reception, Prioritization, and Resource Allocation Reception and Prioritization	6 8 hours
16 (9)(8) Broadcasting Techniques, Rules, and Procedures <u>Techniques and Resource Allocation</u>	6 7 hours
17 (10)(9) Telecommunicator Training Practicum	8 hours
18 (11)(10) State Comprehensive Examination	2 hours
19 TOTAL HOURS	47 hours

20 (c) Consistent with the curriculum development policy of the Commission as published in the "Telecommunicator
21 Certification Course Management ~~Guide~~", Guide." the Commission shall designate the developer of the
22 Telecommunicator Certification Course curricula and such designation shall be deemed by the Commission as
23 approval for the developer to conduct pilot Telecommunicator Certification Courses. Individuals who complete such
24 a pilot Telecommunicator Certification Course offering shall be deemed to have complied with and satisfied the
25 minimum training requirement.

26 (d) The "Telecommunicator Certification Training ~~Manual~~" Manual." as published by the North Carolina Justice
27 ~~Academy~~ Academy, shall be used and shall automatically include any later amendments and editions of the
28 incorporated matter to apply as the basic curriculum for the Telecommunicator Certification Course. Copies of this
29 manual may be obtained by contacting the North Carolina Justice Academy, Post Office Box 99, Salemburg, North
30 Carolina 28385-0099.

31 (e) The "Telecommunicator Certification Course Management ~~Guide~~" Guide." as published by the North Carolina
32 Justice ~~Academy~~ Academy, shall be used and shall automatically include any later amendments, editions of the
33 incorporated matter to be used by certified ~~school~~ schools ~~directors~~ in planning, implementing and delivering basic
34 telecommunicator training. The standards and requirements established by the "Telecommunicator Certification
35 Course Management Guide" must be adhered to by the certified ~~school director~~. school. Each certified school ~~director~~
36 shall be issued a copy of the guide at the time of certification at no cost to the accredited school. **Copies of this manual**

1 may be obtained by contacting the North Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina
2 28385-0099.

3 (f) Institutions may offer to deliver the Telecommunicator Certification Course after the Commission has approved
4 the institution's pre-delivery report documenting who will be teaching the blocks of instruction for each course
5 offering. No Telecommunicator Certification Course shall be offered by any persons, agencies, or institutions without
6 the approval of the Commission pursuant to Rule .0709 and .0804 of this Subchapter. Any persons, agencies, or
7 institutions desiring to offer the Telecommunicator Certification Course shall file a Pre-Delivery Report (Form F-7A-
8 T). [The pre-delivery report Form F-7A-T shall contain information on the name of the institution or agency hosting
9 the course, the name of the school director, location, hours to be taught, schedule, number of students, and any hours
10 of instruction in addition to those required by this Rule.]

11 (g) Form:

12 (1) Form F-7A and F-7A-T, Pre-Delivery Report of Training Course Presentation, is completed by the
13 institution or agency delivering Detention Officer and Telecommunicator Training Courses and consists of
14 information on the course delivery location, school director, class schedule, anticipated date of the State
15 Comprehensive Exam, and any planned instructional hours exceeding the minimum requirements. Form F-
16 7A is utilized for Detention Officer courses and Form F-7A-T is utilized for Telecommunicator courses.

17
18 *History Note: Authority G.S. 17E-4(a);*
19 *Temporary Adoption Eff. March 1, 1998;*
20 *Eff. August 1, 1998;*
21 *Amended Eff. April 1, 2001;*
22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
23 *2018.*
24 *Amended Eff. [August 1, 2023.] September 1, 2023.*
25