

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

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

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

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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.
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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:

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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 complied with Rule [.0604(f)] .0604(e) of this Subchapter in a scheduled
16 delivery of ~~a certified training course~~ any Detention Officer Certification Course and has demonstrated satisfactory
17 competence in each required motor-skill or performance area of the course curriculum but has failed to achieve the
18 minimum score of 70 percent on any of the four units of the Commission's comprehensive written examination may
19 request the Director to authorize a re-examination of the trainee in those units for which he or she has failed to make
20 a passing score of 70 percent as follows:

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

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36 *History Note: Authority G.S. 17E-4; 17E-7;*
37 *Eff. January 1, 1989;*

1 *Amended Eff. August 1, 2011; August 1, 2002; January 1, 1996; January 1, 1994; January 1, 1992;*
2 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
3 *2018.*
4 *Amended Eff. [~~November 1, 2022~~ November 1, 2023.]*

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

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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; and
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~~ director.
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).]~~

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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 .0704 is ~~amended~~ **adopted** with changes as published in 37:13 NCR 933-935:

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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.** [~~outline and inform each~~
34 instructor of their duties and responsibilities as specified therein.][~~in the Commissions' regulations~~
35 and ~~Detention Officer Certification Course Manual and Course Management~~ **Guide.** [~~Guide~~
36 pursuant to 12 NCAC 10B .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] 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)](6) 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)(7) 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)(8) 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)(9) 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)(10) Administer tests at the end of each topic area as specified in 12 NCAC 10B .0601 during the course
37 delivery.

1 ~~(13)~~(11) 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)~~(12) Administer all course work pursuant to 12 NCAC 10B .0606.

4 ~~(15)~~(13) 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)](c) 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.] November 1, 2023.*
9
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1 12 NCAC 10B .0714 is ~~amended~~ **adopted** with changes as published in 37:02 NCR 187:

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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,]~~ a course developer. The developer shall submit pilot
6 curriculum for Commission approval. ~~[and such designation shall be deemed by the Commission as approval for the~~
7 ~~developer to]~~ The developer shall conduct ~~[pilot]~~ offerings of the Commission approved pilot course. The schools and
8 instructors utilized in the pilot course offering shall be in compliance with Sections .0800 and .0900 of this Chapter.
9 ~~[A minor or major revision to existing curriculum does not constitute a new version of an existing curriculum.]~~

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

11 ~~(b)~~ (c) Individuals who complete such a Commission approved pilot course offering shall be in compliance with
12 Sections .0600, and .1300 of this Chapter. ~~not be required by other rules of this Subchapter to complete additional~~
13 ~~training for that specific certification program. Such pilot training courses shall be recognized for purposes of~~
14 ~~certification or recertification.~~

15

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

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

18