

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0602

**DEADLINE FOR RECEIPT: October 16, 2024**

***PLEASE NOTE: This request may extend to 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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*Line 4: What are “professional awards?” Is it the same as professional certificates? If so, be consistent in your terms throughout.*

*Line 6: “General correctional officer certification” is not a defined term. The Commission needs to be clear what the requirement is. Add a citation to a rule which sets forth the process for the certification if there is one. Consider if it meets the Commission’s intentions: “...pursuant to 12 NCAC 09C .0304.”*

*Line 11: I believe you should have a comma after “Commission.”*

*Lines 14-15: Are these categories established by rule?*

*Lines 33-34: It is unclear how this applies to points? If that cannot be determined, list factors that the Commission will consider in determining the application.*

*Line 35: What is an officer’s “area of expertise” and how is this determined?*

*Lines 35-37: Is the second sentence a limitation? What is the Commission attempting to state?*

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

William W. Peaslee  
Commission Counsel

Date submitted to agency: October 10, 2024

1 12 NCAC 09G .0602 is being submitted for amendment, with changes, as follows:

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3 12 NCAC 09G .0602 GENERAL PROVISIONS

4 (a) In order to be eligible for one or more of the professional awards, an officer shall first meet the following  
5 preliminary qualifications:

6 (1) The officer shall hold a general correctional officer certification. A person serving under a  
7 probationary certification is not eligible for consideration. An officer subject to suspension or  
8 revocation ~~proceedings~~ proceedings, ~~[or who is currently]~~ on probation subsequent to suspension or  
9 revocation proceedings, or under investigation for possible decertification action by the  
10 Commission, the North Carolina Company Police Program, the North Carolina Campus Police  
11 Program, or the North Carolina Sheriffs' Education and Training Standards Commission shall not  
12 be eligible for professional awards for the pendency of the proceeding or the period of probation.

13 (2) The officer shall hold general certification with the Commission in one of the following categories:

14 (A) correctional officer; or

15 (B) probation/parole officer.

16 (3) The officer shall be a permanent, full-time, paid employee of the Department of Public Safety,  
17 Division of Adult Correction and Juvenile Justice.

18 (4) Permanent, paid employees of the Department of ~~Public Safety, Division of~~ Adult Correction and  
19 ~~Juvenile Justice~~ who have completed a Commission-certified corrections officer basic training  
20 program or out-of-state equivalent and have previously held general certification as specified in 12  
21 NCAC 09G .0602(a)(1) and 12 NCAC 09G .0602(a)(2), but are presently, by virtue of promotion  
22 or transfer, serving in positions not subject to certification are eligible to participate in the  
23 professional certificate program. ~~Eligibility for this exception requires employment with the~~  
24 ~~Department of Public Safety, Division of Adult Correction and Juvenile Justice from the date of~~  
25 ~~promotion or transfer from a certified position to the date of application for a professional certificate.~~

26 (b) Awards are based upon a formula that combines formal education, corrections training, and actual experience as  
27 a corrections officer. Points are computed in the following manner:

28 (1) each semester hour of college credit shall equal one point and each quarter hour shall equal two-  
29 thirds of a point;

30 (2) 20 classroom hours of Commission-approved corrections training shall equal one point; and

31 (3) only experience as a permanent, paid employee of the Department of Public Safety, Division of  
32 Adult Correction and Juvenile Justice or the equivalent experience as determined by the  
33 Commission shall be acceptable of consideration.

34 Point requirements for each award are described in 12 NCAC 09G .0604 and .0605.

35 (c) Certificates shall be awarded in an officer's area of expertise only. The State Corrections Certificate is appropriate  
36 for permanent, paid corrections employees employed by the Department of Public Safety, Division of Adult Correction  
37 and Juvenile Justice.

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3 *History Note:* *Authority G.S. 17C-6;*  
4 *Temporary Adoption Eff. January 1, 2001;*  
5 *Eff. August 1, 2002;*  
6 *Amended Eff. January 1, 2015; June 1, 2012; August 1, 2004;*  
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*  
8 *2019.*  
9 *Amended Eff. November 1, 2024*  
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