

1 12 NCAC 09A .0103 is amended as published in 39:06 NCR 317-322 as follows:

2
3 12 NCAC 09A .0103 DEFINITIONS

4 The following definitions apply throughout Subchapters 12 NCAC 09A through 12 NCAC 09F, except as modified
5 in 12 NCAC 09A .0107 for the purpose of the Commission's rule making and administrative hearing procedures: 09F:

- 6 (1) "Active Duty Military" means, for the purpose of determining eligibility for certification pursuant
7 to 12 NCAC 09B .0401 and 12 NCAC 09B .0403, [0701,] means full-time duty in the active
8 military service of the United States. Such term includes full-time training duty, annual training
9 duty, and attendance while in the active military service at a school designated as a service school
10 by law or by the Secretary of the military department concerned. Such term does not include full-
11 time National Guard duty.
- 12 (2) "Agency" or "Criminal Justice Agency" means those state and local agencies identified in G.S. 17C-
13 2(2).
- 14 (3) "Alcohol Law Enforcement Agent" means a law enforcement officer appointed by the Secretary of
15 the Department of Public Safety as authorized by G.S. 18B-500.
- 16 (4) "Chief Court Counselor" means the person responsible for administration and supervision of
17 juvenile intake, probation, and post-release supervision in each judicial district, operating under the
18 supervision of the Department of Public Safety, Division of Adult Correction and Juvenile Justice.
- 19 (5) "Commission" means the North Carolina Criminal Justice Education and Training Standards
20 Commission.
- 21 (5)(6) "Commission of an offense" means a finding by the North Carolina Criminal Justice Education and
22 Training Standards Commission, Commission, pursuant to 12 NCAC 09A .0201, or equivalent
23 regulating body from another state that a person performed the acts necessary to satisfy the elements
24 of a specified criminal offense.
- 25 (6)(7) "Convicted" or "Conviction" means the entry of:
- 26 (a) a plea of guilty;
- 27 (b) a verdict or finding of guilt by a jury, judge, magistrate, or other adjudicating body,
28 tribunal, or official, either civilian or military; or
- 29 (c) a plea of no contest, nolo contendere, or the equivalent.
- 30 (7)(8) "Criminal Justice Officer(s)" means those officers identified in G.S. 17C-2(3).
- 31 (8)(9) "Criminal Justice System" means the whole of the State and local criminal justice agencies described
32 in Item (2) of this Rule.
- 33 (9)(10) "Agency Head" means the chief administrator of any criminal justice agency, and specifically
34 includes any chief of police or agency director. "Agency Head" also includes a designee appointed
35 in writing by the Agency Head.
- 36 (10)(11) "Director" means the Director of the Criminal Justice Standards Division of the North Carolina
37 Department of Justice.

(12) "Division" means the Criminal Justice Standards Division of the North Carolina Department of Justice.

~~(11)~~(13) "Educational Points" means points earned toward the Professional Certificate Programs for studies completed, with passing scores achieved, for semester hour or quarter hour credit hours awarded from colleges or universities accredited by the Department of Education of the state in which the institution is located, from an accredited body recognized by either the U.S. Department of Education or the Council for Higher Education Accreditation, or from the state university of the state in which the institution is located. ~~Each semester hour of college credit equals one educational point and each quarter hour of college credit equals two thirds of an educational point. [Diplomas earned from educational institutions outside of the United States must be translated into English and be accompanied by an authentic transcript. The Division's staff shall evaluate these transcripts to ensure they are scholastically comparable to the United States curriculum requirements.]~~

~~(12)~~(14) "Enrolled" means that an individual is currently actively participating in an on-going presentation of a Commission-certified basic training course that has not concluded on the day probationary certification expires. The term "currently actively participating" as used in this definition means:

- (a) for law enforcement officers, that the officer is attending an approved course presentation averaging a minimum of 12 hours of instruction each week; and
- (b) for Department of Public Safety, Division of ~~Adult Correction and~~ Juvenile Justice personnel, that the officer is attending the last or final phase of the approved training course necessary for satisfying the total course completion requirements.

~~(13)~~(15) "High School" means an educational program that meets the compulsory attendance requirements in the jurisdiction in which the school is located.

~~(14)~~(16) "In-Service Training" means all training ~~prescribed in 12 NCAC 09E .0105~~ that must be completed, pursuant to this Chapter, with passing scores achieved, by all certified law enforcement officers during each full calendar year of certification.

~~(15)~~(17) "In-Service Training Coordinator" means the person designated by a Criminal Justice Agency head to administer the agency's In-Service Training program.

~~(16)~~(18) "Lateral Transfer" means the employment of a criminal justice officer by a Criminal Justice Agency based upon the officer's special qualifications or experience, without following the usual selection process established by the agency for basic officer positions.

~~(17)~~(19) "Law Enforcement Code of Ethics" means the code adopted by the Commission on September 19, 1973, that reads as follows:

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all, and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint;

1 and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I
2 will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential
3 nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the
4 performance of my duty.

5 I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or
6 friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I
7 will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing
8 unnecessary force or violence and never accepting gratuities.

9 I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I
10 am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such
11 acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit
12 of justice.

13 I know that I alone am responsible for my own standard of professional performance and will take every reasonable
14 opportunity to enhance and improve my level of knowledge and competence.

15 I will constantly strive to achieve these objectives and ideals, dedicating myself before God or by affirmation to my
16 chosen profession law enforcement.

17 ~~(18)~~(20) "Juvenile Court Counselor" means a person responsible for intake services and court supervision
18 services to juveniles under the supervision of the Chief Court Counselor.

19 ~~(19)~~(21) "Juvenile Justice Officer" means a person designated by the Secretary of the Department of Public
20 Safety, Division of ~~Adult Correction and~~ Juvenile Justice to provide for the care and supervision of
21 juveniles placed in the physical custody of the Department.

22 ~~(20)~~(22) "Law Enforcement Officer" means an appointee of a Criminal Justice Agency, an agency of the
23 State, or of any political subdivision of the State who, by virtue of his or her office, is empowered
24 to make arrests for violations of the laws of this State. Specifically excluded from the title "Law
25 Enforcement Officer" are sheriffs and their sworn appointees with arrest authority who are governed
26 by the provisions of G.S. 17E.

27 ~~(21)~~(23) "Law Enforcement Training Points" means points earned toward the Law Enforcement Officers'
28 Professional Certificate Program by successful completion of Commission-approved law
29 enforcement training courses. Twenty classroom hours of Commission-approved law enforcement
30 training equals one law enforcement training point.

31 ~~(22)~~(24) "LIDAR" is an acronym for "Light Detection and Ranging" and means a speed-measuring
32 instrument that electronically computes, from transmitted infrared light pulses, the speed of a vehicle
33 under observation.

34 ~~(23)~~(25) "Local Confinement Personnel" means any officer, supervisor, or administrator of a local
35 confinement facility in North Carolina as defined in G.S. 153A-217; any officer, supervisor, or
36 administrator of a county confinement facility in North Carolina as defined in G.S. 153A-218; or

any officer, supervisor, or administrator of a district confinement facility in North Carolina as defined in G.S. 153A-219.

~~(24)~~(26) "Misdemeanor" means those criminal offenses not classified under the laws, statutes, or ordinances as felonies. Misdemeanor offenses are classified by the Commission as follows:

(a) "Class A Misdemeanor" means a misdemeanor committed or omitted in violation of any common law, duly-enacted ordinance, or criminal statute of this State that is not classified as a Class B Misdemeanor pursuant to Sub-item (24)(b) of this Rule. Class A Misdemeanor also includes any act committed or omitted in violation of any common law, duly enacted ordinance, criminal statute, or criminal traffic code of any jurisdiction other than North Carolina, either civil or military, for which the maximum punishment allowable for the designated offense under the laws, statutes, or ordinances of the jurisdiction in which the offense occurred includes imprisonment for a term of not more than six months. Excluded from "Class A Misdemeanor" criminal offenses for jurisdictions other than North Carolina are motor vehicle or traffic offenses designated as misdemeanors under the laws of other jurisdictions or duly enacted ordinances of an authorized governmental entity, with the exception of the offense of impaired driving that is included herein as a Class A Misdemeanor if the offender could have been sentenced for a term of not more than six months. Also included herein as a Class A Misdemeanor is the offense of impaired driving, if the offender was sentenced under punishment level three G.S. 20-179(i), level four G.S. 20-179(j), or level five G.S. 20-179(k). Class A Misdemeanor shall also include acts committed or omitted in North Carolina prior to October 1, 1994, in violation of any common law, duly enacted ordinance, or criminal statute of this State for which the maximum punishment allowable for the designated offense included imprisonment for a term of not more than six months.

(b) "Class B Misdemeanor" means an act committed or omitted in violation of any common law, criminal statute, or criminal traffic code of this State that is classified as a Class B Misdemeanor as set forth in the Class B Misdemeanor Manual as published by the North Carolina Department of Justice, incorporated herein by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. The publication is available from the Commission's website: <http://www.ncdoj.gov/getdoc/60bb12ca-47c0-48cb-a0e3-6095183c4c2a/Class-B-Misdemeanor-Manual-2005.aspx>. Class B Misdemeanor also includes any act committed or omitted in violation of any common law, duly enacted ordinance, criminal statute, or criminal traffic code of any jurisdiction other than North Carolina, either civil or military, for which the maximum punishment allowable for the designated offense under the laws, statutes, or ordinances of the jurisdiction in which the offense occurred includes imprisonment for a term of more than six months but not more than two years. Excluded

1 from this grouping of "Class B Misdemeanor" criminal offenses for jurisdictions other than
2 North Carolina, are motor vehicle or traffic offenses designated as being misdemeanors
3 under the laws of other jurisdictions with the following exceptions: Class B Misdemeanor
4 includes the following:

- 5 (i) either first or subsequent offenses of driving while impaired if the maximum
6 allowable punishment is for a term of more than six months but not more than two
7 years;
- 8 (ii) driving while license permanently revoked or permanently suspended;
- 9 (iii) those traffic offenses occurring in other jurisdictions which are comparable to the
10 traffic offenses specifically listed in the Class B Misdemeanor Manual; and
- 11 (iv) an act committed or omitted in North Carolina prior to October 1, 1994, in
12 violation of any common law, duly enacted ordinance, criminal statute, or
13 criminal traffic code of this State for which the maximum punishment allowable
14 for the designated offense included imprisonment for a term of more than six
15 months but not more than two years.

16 ~~(25)~~(27) "Qualified Assistant" means an additional staff person designated by the School ~~Director~~ Director,
17 pursuant to Rule 09B.0201 of this Chapter, to assist in the administration of a course when an
18 institution or agency assigns additional responsibilities to the certified School Director during the
19 planning, development, and implementation of a certified course.

20 ~~(26)~~(28) "Radar" means a speed-measuring instrument that transmits microwave energy in the 10,500 to
21 10,550 MHZ frequency (X) band, the 24,050 to 24,250 MHZ frequency (K) band, or the 33,400 to
22 36,000 MHZ (Ka) band and operates in either the stationary or moving mode.

23 ~~(27)~~ "Resident" means any youth committed to a facility operated by the Department of Public Safety,
24 ~~Division of Adult Correction and Juvenile Justice.~~

25 ~~(28)~~ (29) "School" ~~or "criminal justice school"~~ means an institution, college, university, academy, or agency
26 that offers criminal justice, law enforcement, or traffic control and enforcement training for criminal
27 justice officers or law enforcement officers. "School" includes the criminal justice training course
28 curriculum, instructors, and facilities.

29 ~~(29)~~(30) "School Director" means the person designated by the sponsoring institution or agency to administer
30 the ~~criminal justice school.~~ school, pursuant to Rule 09B .0201 of this Chapter.

31 ~~(30)~~ (31) "Speed-Measuring Instruments" (SMI) means those devices or systems, including RADAR, Time-
32 Distance, and LIDAR, approved under authority of G.S. 17C-6(a)(13) for use in North Carolina in
33 determining the speed of a vehicle under observation and particularly includes all devices or systems
34 described or referenced in 12 NCAC 09C .0601.

35 ~~(31)~~ "Standards Division" means the ~~Criminal Justice Standards Division of the North Carolina~~
36 ~~Department of Justice.~~

(32) "Time-Distance" means a speed-measuring instrument that electronically computes, from measurements of time and distance, the average speed of a vehicle under observation.

History Note: Authority G.S. 17C-2; 17C-6; 17C-10; 153A-217;
Eff. January 1, 1981;
Amended Eff. November 1, 1981; August 15, 1981;
Readopted Eff. July 1, 1982;
Temporary Amendment Eff. December 14, 1983 for a period of 120 days to expire on April 12, 1984;
Amended Eff. November 1, 1993; March 1, 1990; July 1, 1989;
Temporary Amendment Eff. October 1, 1994 for a period of 180 days to expire on April 1, 1995;
Amended Eff. August 1, 2000; April 1, 1999; August 1, 1998; January 1, 1995;
Temporary Amendment Eff. January 1, 2001;
Amended Eff. August 1, 2002; April 1, 2001;
Temporary Amendment Eff. April 15, 2003;
Amended Eff. January 1, 2017; February 1, 2016; January 1, 2015; January 1, 2006; June 1, 2005;
April 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
2019;
Amended Eff. May 1, 2025; October 1, 2022.

12 NCAC 09B .0235 is amended as published in 39:12 NCR 753-763 as follows:

12 NCAC 09B .0235 BASIC TRAINING – JUVENILE COURT COUNSELORS AND CHIEF COURT COUNSELORS

(a) The Juvenile Court Counselors and Chief Court Counselors training course shall consist of a minimum of 119 hours of classroom and practical skills instruction.

(b) Each basic training course for Juvenile Court Counselors shall include training in the following topic areas:

(1) Juvenile Justice Common Core:

(A)	Basic Individual Counseling Skills	6 5 hours
(B)	Interpersonal Communication Skills	6 5 hours
(C)	Working with Families	3 hours
(D)	Characteristics of Delinquents	4 hours
(E)	Staff and Juvenile Relationships: Maintaining Professional Boundaries	4 hours
(F)	Gang Awareness	2 hours
(G)	Situational Awareness and Risk Assessment	4 hours
(H)	Restraints, Controls, and Defensive Techniques	28 hours
(I)	Mechanical Restraints	4 hours
(J)	Youth Mental Health First-Aid	8 hours
(K)	Trauma and Delinquents <u>Think Trauma</u>	6 8 hours
(L)	Driver and Secure Transport Safety	4 hours
(M)	Racial and Ethnic Disparities (RED) – Addressing RED within the Juvenile Justice System	2 hours
(N)	Verbal De-escalation for Juvenile Justice	2 hours
	Total Hours	83 hours

(2) Juvenile Court Counselor Specific:

(A)	Statutory Responsibilities and Requirements of Juvenile Court Counselors	6 hours
(B)	Juvenile Law	8 hours
(C)	Intake, Supervision and Services	8 hours
(D)	Assessing Risk and Needs <u>Risk and Needs Assessment</u>	6 hours
(E)	Report Writing and Documentation	8 hours
	Total Hours	36 hours
	Total Course Hours	119 hours

(c) Upon completion of a Commission-certified training course for Juvenile Court Counselors and Chief Court Counselors, the Director of the school conducting the course shall notify the Commission of training completion by submitting a Report of Training Course Completion for each trainee. The Report of Training Course Completion, F-

11, identifies the student, student's social security number, date of birth, employing agency, position, date of appointment, and course information, to include title of course, location course was conducted at, the dates the course began and ended, the hours the course was conducted, number of instructional contact hours, and name of certifying official regarding the successful completion of the training course.

(d) Employees of the Division of Juvenile Justice and Delinquency Prevention who have completed the minimum 119 hour training program accredited by the Commission pursuant to Rule .0236 of this Section after January 1, 2013 who transfer from a Juvenile Justice Officer position to a Juvenile Court Counselor position shall be required to complete only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Court Counselor under Subparagraph (b)(2) of this Rule.

History Note: Authority G.S. 17C-2; 17C-6; 17C-10;
Temporary Adoption Eff. April 15, 2003;
Eff. April 1, 2004;
Amended Eff. July 1, 2017; July 1, 2016; August 1, 2015; May 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
2019;
Amended Eff. May 1, 2025; ~~March 1, 2024~~; January 1, 2022.

1 **12 NCAC 09B .0236 is amended as published in 39:12 NCR 753-763 as follows:**

2
3 **12 NCAC 09B .0236 BASIC TRAINING - JUVENILE JUSTICE OFFICERS**

4 (a) The Juvenile Justice Officer training course shall consist of a minimum of 117 hours of classroom and practical
5 skills instruction.

6 (b) Each basic training course for Juvenile Justice Officers shall include training in the following identified topic
7 areas:

8 (1) Juvenile Justice Common Core:

9 (A)	Basic Individual Counseling Skills	6 5 hours
10 (B)	Interpersonal Communication Skills	6 5 hours
11 (C)	Working with Families	3 hours
12 (D)	Characteristics of Delinquents	4 hours
13 (E)	Staff and Juvenile Relationships: Maintaining	4 hours
14	Professional Boundaries	
15 (F)	Gang Awareness	2 hours
16 (G)	Situational Awareness and Risk Assessment	4 hours
17 (H)	Restraints, Controls, and Defensive Techniques	28 hours
18 (I)	Mechanical Restraints	4 hours
19 (J)	Youth Mental Health First-Aid	8 hours
20 (K)	Trauma and Delinquents <u>Think Trauma</u>	6 8 hours
21 (L)	Driver and Secure Transport Safety	4 hours
22 (M)	Racial and Ethnic Disparities (RED) – Addressing RED within the	
23	Juvenile Justice System	2 hours
24 (N)	Verbal De-escalation for Juvenile Justice	2 hours
25	Total Hours	83 hours

26 (2) Juvenile Justice Officer Specific:

27 (A)	Treatment Program Operations	4 hours
28 (B)	Maintaining Documentation of Activities and Behaviors	8 hours
29 (C)	Basic Group Leadership Skills	4 hours
30 (D)	Effective Behavior Management	10 hours
31 (E)	Health Services Overview	2 hours
32 (F)	Contraband and Search Techniques	2 hours
33 (G)	Suicide Prevention and Response	4 hours
34	Total Hours	34 hours
35	Total Course Hours	117 hours

36 (c) Upon completion of a Commission-certified training course for Juvenile Justice Officers the Director of the school
37 conducting the course shall notify the Commission of the training completion by submitting a Report of Training

1 Course Completion for each trainee. The requirements for completion of the Report of Training Course Completion,
2 F-11, is outlined in 12 NCAC 09B .0235.

3 (d) Employees of the Division of Juvenile Justice and Delinquency Prevention who have completed the minimum
4 117 hour training program accredited by the Commission under Rule .0235 of this Section after January 1, 2013 who
5 transfer from a Juvenile Court Counselor position to a Juvenile Justice Officer position shall be required to complete
6 only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Justice Officer
7 pursuant to Subparagraph (b)(2) of this Rule.

8
9 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10;
10 Temporary Adoption Eff. April 15, 2003;
11 Eff. April 1, 2004;
12 Amended Eff. July 1, 2017; July 1, 2016; August 1, 2015; May 1, 2014;
13 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
14 2019;
15 Amended Eff. May 1, 2025; ~~March 1, 2024~~.
16

1 12 NCAC 09C .0201 is repealed as published in 39:12 NCR 753-763 as follows:
2

3 ~~12 NCAC 09C .0201 — PERSONAL HISTORY STATEMENT~~

4 ~~The Personal History Statement, is a questionnaire to be completed by an applicant for employment as a criminal~~
5 ~~justice officer. The questions seek information regarding the applicant's work, residential, military, and arrest history;~~
6 ~~financial condition; and references.~~

7
8 *History Note: Authority G.S. 17C-6; 150B-11;*
9 *Eff. January 1, 1981;*

10
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019.*

13 *Repeal Eff. May 1, 2025*
14

1 12 NCAC 09C .0202 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09C .0202 — MEDICAL HISTORY STATEMENT~~

4 ~~The Medical History Statement is a questionnaire to be completed by an applicant. The form seeks to facilitate the~~
5 ~~applicant's medical examination by listing information pertinent to the applicant's present and past physical condition,~~
6 ~~injuries, diseases, or operations.~~

7
8 *History Note: Authority G.S. 17C-6; 150B-11;*

9 *Eff. January 1, 1981;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 *2019.*

12 *Repeal Eff. May 1, 2025*

13

1 12 NCAC 09C .0203 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09C .0203 — MEDICAL EXAMINATION REPORT~~

4 ~~The Medical examination Report, is a form provided to the examining physician to record the results of the applicant's~~
5 ~~medical examination.~~

6
7 *History Note: Authority G.S. 17C-6; 150B-11;*

8 *Eff. January 1, 1981;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
10 *2019.*

11 *Repeal Eff. May 1, 2025*
12

1 12 NCAC 09C .0204 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09C .0204~~ QUALIFICATIONS APPRAISAL INTERVIEW

4 ~~The Qualifications Appraisal Interview, is a form providing the agency's interviewers with a method of recording~~
5 ~~evaluations of the applicant. Inquiries relate to appearance, manner and bearing, ability to present ideas, social~~
6 ~~adaptability, alertness, and judgment.~~

7
8 *History Note: Authority G.S. 17C-6; 150B-11;*

9 *Eff. January 1, 1981;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 *2019.*

12 *Repeal Eff. May 1, 2025*

13

1 12 NCAC 09C .0205 is amended as published in 39:12 NCR 753-763 as follows:

2
3 12 NCAC 09C .0205 **REPORT OF APPOINTMENT APPLICATION FOR CERTIFICATION LAW**
4 **ENFORCEMENT OFFICER**

5 (a) ~~The Report of Appointment Application for Certification Law Enforcement Officer (Form F-5A) is shall be~~ used
6 ~~for reporting to report the appointment request the certification of criminal justice officers officers, and indicating~~
7 ~~indicate the applicant's progress toward completing the requirements for certification.~~ The Application for
8 Certification Law Enforcement Officer (Form F-5A) shall contain the following information:

- 9 (1) Employing agency identification;
10 (2) Applicant's name, address, date of birth, driver's license number, and social security number;
11 (3) Position for which application is being submitted;
12 (4) Date of hire;
13 (5) ~~[Commission forms required for certification;]~~ Verification of the applicant's criminal history,
14 pursuant to 12 NCAC 09B .0111, and
15 (6) Signature of the employing agency's [Agency Executive Officer or Registered Authorized
16 Representative.] executive officer or authorized representative.

17 (b) The following documents shall be submitted to the Division along with the Application for Certification Law
18 Enforcement Officer (Form F-5A):

- 19 (1) Fingerprint Response Sheet, pursuant to 12 NCAC 09B .0103;
20 (2) Firearms Qualification Record (Form F-9A), pursuant to 12 NCAC 09E .0104;
21 (3) Signed and notarized Release Authorization Form, pursuant to 12 NCAC 09B .0102; and
22 (4) Law Enforcement Application for Verification of Expunction AOC-CR-280, pursuant to 12 NCAC
23 09B .0102.

24
25 *History Note:* Authority G.S. 17C-6
26 Eff. January 1, 1981;
27 Temporary Amendment Eff. January 1, 2001;
28 Amended Eff. August 1, 2002;
29 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
30 2019.
31 Amended Eff. May 1, 2025

1 12 NCAC 09C .0207 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09C .0207 — APPLICATION FOR AWARD OF PROFESSIONAL CERTIFICATE~~

4 ~~The Application For Award of Law Enforcement Certificate, requests information regarding the education, training,~~
5 ~~and experience qualifying the applicant for various levels of certification under the Law Enforcement Officers'~~
6 ~~Professional Certificate Program. The Application For Award of Criminal Justice Certificate, requests information~~
7 ~~regarding the education, training, and experience qualifying the State Youth Services officer/applicant for various~~
8 ~~levels of certification under the Criminal Justice Officers' Professional Certificate Program.~~

9
10 *History Note: Authority G.S. 17C-6;*
11 *Eff. January 1, 1981;*
12 *Amended Eff. August 15, 1981;*
13 *Temporary Amendment Eff. January 1, 2001;*
14 *Amended Eff. August 1, 2002;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
16 *2019.*
17 *Repeal Eff. May 1, 2025*
18

1 12 NCAC 09C .0208 is amended as published in 39:12 NCR 753-763 as follows:

2
3 12 NCAC 09C .0208 **REPORT AFFIDAVIT OF SEPARATION**

4 (a) The Affidavit of Separation ~~and Report of Separation~~ (Form F-5B) shall be used for reporting the date of and
5 reason for the separation of a criminal justice officer from the employing agency. The date of separation shall be the
6 date the criminal justice officer resigned or the date the employing agency terminated the employee. The Affidavit of
7 Separation (Form F-5B) shall contain the following information:

8 (1) separating agency;

9 (2) separating officer, address, date of birth, position, date of final separation;

10 (3) reason for separation;

11 (4) ~~[notice to separating officer;]~~ name and signature of separating officer; and

12 (5) name and signature of the ~~employing agency's~~ executive officer or authorized representative.

13 (b) An agency separating a person from employment or appointment as a criminal justice officer shall, not later than
14 10 days after separation, forward to the Commission a completed Affidavit of ~~Separation and Report of Separation~~.

15
16 *History Note: Authority G.S. 17C-6;*

17 *Eff. January 1, 1981;*

18 *Temporary Amendment Eff. January 1, 2001;*

19 *Amended Eff. October 1, 2018; August 1, 2002;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
21 *2019.*

22 *Eff. May 1, 2025*
23

1 12 NCAC 09C .0209 repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09C .0209~~ **REQUEST FOR SCHOOL ACCREDITATION**

4 ~~The Request for School Accreditation, provides the means for an agency or institution to become certified to conduct~~
5 ~~criminal justice training and to affiliate with the Criminal Justice Education and Training System. It seeks information~~
6 ~~on the physical, financial, and staff support provided to the criminal justice school by the agency or institution.~~

7
8 *History Note: Authority G.S. 17C-6; 150B-11;*

9 *Eff. January 1, 1981;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 *2019.*

12 *Repeal Eff. May 1, 2025*
13

1 12 NCAC 09C .0211 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09C .0211 — PRE DELIVERY REPORT OF TRAINING COURSE PRESENTATION~~

4 ~~The Pre delivery Report of Training Course Presentation is a form on which the School Director notifies the~~
5 ~~Commission of its intent to present the Basic Law Enforcement Training course. Information requested includes:~~

6 (1) ~~— The number of training hours;~~

7 (2) ~~— The training delivery period;~~

8 (3) ~~— Location;~~

9 (4) ~~— Anticipated number of trainees;~~

10 (5) ~~— The requested date and location for the administration of the state comprehensive exam; and~~

11 (6) ~~— Topical course schedule including proposed instructional assignments.~~

12
13 *History Note: Authority G.S. 17C-6; 150B-11;*

14 *Eff. January 1, 1981;*

15 *Amended Eff. January 1, 2015; August 1, 2000;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
17 *2019.*

18 *Repeal Eff. May 1, 2025*
19

1 12 NCAC 09C .0213 is being repealed as published in 39:06 NCR 317-322 as follows:
2
3

4 ~~12 NCAC 09C .0213~~ **STUDENT COURSE COMPLETION RECORD**

5 ~~The Student Course Completion Record, is a form used to report the satisfactory completion of training in courses~~
6 ~~other than the "Basic Law Enforcement Training" course. The Report of Training Course Completion shall include~~
7 ~~student information, name, date of birth, and Social Security Number; employment information to include department~~
8 ~~or agency, division where applicable, position name or title, and date of appointment; course information to include~~
9 ~~course title, location held, course start and end dates, class hours, and total contact hours of instruction. The form must~~
10 ~~be signed and dated by the School Director along with the name of the accredited institution.~~

11
12 *History Note: Authority G.S. 17C-6; 150B-21.2;*
13 *Eff. January 1, 1981;*
14 *Amended Eff. August 1, 2000;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
16 *2019.*
17 *Repeal Eff. May 1, 2025*
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1 12 NCAC 09C .0214 is being repealed as published in 39:02 NCR 317-322 as follows:

2
3 ~~12 NCAC 09C .0214 — REQUEST FOR INSTRUCTIONAL CERTIFICATION~~

4 ~~The Request for Instructional Certification, is used by persons seeking certification as general instructors or as~~
5 ~~artisan/practitioner lecturers. It seeks information regarding personal and professional background as well as~~
6 ~~documentation of the specific criteria for certification.~~

7
8 *History Note: Authority G.S. 17C-6; 150B-11;*
9 *Eff. January 1, 1981;*
10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 *2019.*
12 *Repeal Eff. May 1, 2025*
13

1 12 NCAC 09C .0215 is repealed as published in 39:06 NCR 317-322 as follows:

2
3 ~~12 NCAC 09C .0215 — PROFESSIONAL LECTURER CERTIFICATION~~

4 ~~The Application for Professional Lecturer Certification is used by persons seeking certification as a lecturer in an~~
5 ~~accredited criminal justice course. It requests information regarding the applicant's credentials and the topic areas of~~
6 ~~expected instruction.~~

7
8 *History Note: Authority G.S. 17C-6;*
9 *Eff. January 1, 1981;*
10 *Amended Eff. January 1, 1995;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019.*
13 *Repeal Eff. May 1, 2025*
14

1 12 NCAC 09C .0216 is repealed as published in 39:06 NCR 317-322 as follows:

2
3 ~~12 NCAC 09C .0216 — RECOMMENDATION FOR GENERAL INSTRUCTOR CERTIFICATION~~

4 ~~(a) The recommendation for General Instructor certification pursuant to Rule 12 NCAC 09B .0303 shall be completed~~
5 ~~by a School Director or In Service Training Coordinator after an instructor has finished the required probationary~~
6 ~~year.~~

7 ~~(b) In the form, the official shall recommend that the instructor receive General Instructor certification and certify~~
8 ~~that the official has observed and evaluated the instructor. The F-12 form used for this recommendation is located on~~
9 ~~the agency's website: <http://www.ncdoj.gov/getdoc/f2ea275e-187d-4d7e-825d-98a8662f7443/F-12.aspx>.~~

10
11 *History Note: Authority G.S. 17C-6; 150B-11;*
12 *January 1, 1981;*
13 *Amended Eff. July 1, 2017;*
14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
15 *2019.*
16 *Repeal Eff. May 1, 2025*
17

1 12 NCAC 09C .0219 is repealed as published in 39:06 NCR 317-322 as follows:

2
3 ~~12 NCAC 09C .0219 — FD 258 — FINGERPRINT CARD~~

4 ~~FD 258 is the Federal Bureau of Investigation's form used by the Commission for the collection of fingerprint~~
5 ~~impressions of applicants for employment as criminal justice officers.~~

6
7 *History Note: Authority G.S. 17C-6; 150B-11;*

8 *Eff. January 1, 1981;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
10 *2019.*

11 *Repeal Eff: May 1, 2025*
12

1 12 NCAC 09C .0306 is being amended as published in 39:12 NCR 753-763 as follows:

2
3 **12 NCAC 09C .0306 LATERAL TRANSFER OF IN-STATE LAW ENFORCEMENT OFFICERS**

4 (a) A North Carolina law enforcement officer is eligible to transfer with general certification from one state or local
5 law enforcement agency to another [law enforcement agency] and be certified by the Commission if the officer: ~~either~~
6 ~~the Criminal Justice Education and Training Standards Commission or the Sheriffs' Education and Training Standards~~
7 ~~Commission may transfer from one law enforcement agency to another law enforcement agency with less than a 12~~
8 ~~month break in law enforcement service. Prior to employing an officer who has been separated from his previous~~
9 ~~agency for more than 30 days, the employing agency shall:~~

- 10 (1) has completed basic law enforcement training and holds a general certification or probationary
11 certification from the Commission or the Sheriffs' Education and Training Standards Commission;
12 ~~verify the certification of the officer with the Criminal Justice Standards Division or the Sheriffs'~~
13 ~~Standards Division; and~~
14 (2) has not had more than a 12-month consecutive break in service immediately preceding the current
15 application. submit a new fingerprint check to the North Carolina State Bureau of Investigation, in
16 compliance with the requirements set forth in 12 NCAC 09B .0103(a) and (b), in the same manner
17 as prescribed for non-certified new applicants. No certification shall be transferred if the holder has
18 been convicted since initial certification of any offense for which revocation or suspension of
19 certification is authorized; and
20 (3) ~~notify the Commission by submitting a Report of Appointment that the officer is being employed~~
21 ~~and stating the date on which employment will commence;~~
22 (4) ~~obtain a signed and notarized Release Authorization Form from the transferring officer. The~~
23 ~~employing agency shall obtain the full personnel file from the previous agency(ies) worked during~~
24 ~~the previous 24 months and include this content in the background file, minus any medically~~
25 ~~protected or sensitive material; and~~
26 (5) ~~complete a background investigation on all applicants for employment as set forth in 12 NCAC 09B~~
27 ~~.0102.~~

28 (b) ~~For officers who have been separated from their previous agency for more than 30 days, prior to transfer of~~
29 ~~certification law enforcement officers with more than a 30 day gap in employment by an agency shall:~~

- 30 (1) ~~comply with the requirements of 12 NCAC 09B .0104~~
31 (2) ~~submit results of the physical examination to the employing agency for placement in the officer's~~
32 ~~permanent personnel file;~~
33 (3) ~~produce a negative result on a drug screen administered according to the specifications outlined in~~
34 ~~12 NCAC 09C .0310; and~~
35 (4) ~~either:~~
36 (A) ~~submit a copy of the Firearms Qualification Record Instructions Form F 9A to the~~
37 ~~employing agency for placement in the officer's permanent personnel file when the duty~~

- 1 and off duty weapons remain the same as those previously used to qualify. The Form F 9A
2 shall contain the date(s) and instructors signature indicating the law enforcement officer's
3 successful completion of the mandatory firearms classroom training, and the firearms range
4 qualification scores for the duty and off duty weapons assigned to the law enforcement
5 officer. Such in service training compliance shall have occurred within the 12 month period
6 preceding transfer; or
- 7 (B) — satisfactorily complete the employing agency's in service firearms training program as
8 prescribed in 12 NCAC 09E .0105 and .0106.
- 9 (c) Prior to employing an officer who has been separated from his previous agency for 30 days or less, the employing
10 agency shall:
- 11 (1) — verify the certification of the officer with the Criminal Justice Standards Division or the Sheriffs'
12 Standards Division;
- 13 (2) — review the Form F 5B, Affidavit of Separation from the previous employed agency;
- 14 (3) — submit a new fingerprint check to the North Carolina State Bureau of Investigation, in compliance
15 — with the requirements set forth in 12 NCAC 09B .0103(a) and (b), in the same manner as
16 prescribed for non-certified new applicants. This fingerprint check will be waived once all officers
17 are enrolled in the Federal Bureau of Investigation's Next Generation Identification System and
18 Criminal Justice Record of Arrest and Prosecution Background (RapBack) Service. No certification
19 shall be transferred if the holder has been convicted since initial certification of any offense for
20 which revocation or suspension of certification is authorized;
- 21 (4) — notify the Commission by submitting a Name/Status Change, Form F 19, that the officer is being
22 employed and stating the date on which the employment will commence. The Name/Status Change,
23 Form f 19, shall contain the officers name, date of birth and Social Security Number on file, and
24 any changes to that information, the agency's name, officer's current status and status changed to,
25 the effective date of change, whether the officer is undercover or not, and the signature and printed
26 name of the submitting agency head or authorized representative, and
- 27 (5) — satisfactorily complete the employing agency's in service firearms training program as prescribed
28 in 12 NCAC 09E .0105 and .0106.
- 29 (b) Prior to certification being transferred per this rule, a state or local law enforcement agency considering the
30 applicant for employment as a law enforcement officer shall submit an Application for Lateral Certification,
31 Form F-5D, to the Division reporting that the employing agency has done the following:
- 32 (1) obtained and forwarded the applicant's fingerprints to the North Carolina State Bureau of
33 Investigation, in compliance with the requirements set forth in 12 NCAC 09B .0102(a) and (b),
34 reviewed the results of the criminal history record check provided as a result, and provided a copy
35 of the results to the Division;
- 36 (2) completed the AOC-CR280 expungement form and provided the results to the Division;

(3) obtained a signed and notarized Authorization for Release of Information Form from the applicant, and reviewed the following documents of the applicant maintained by or on behalf of any North Carolina law enforcement agency where the applicant was employed for any part of the five-year period preceding the current application;

(A) the personnel file including confidential information as defined by G.S. 153A-98, G.S. 160A-168 and G.S. 126-24;

(B) Form F-5B, Affidavit of Separation, if the applicant has separated;

(C) Form F-8, Background Investigation; and

(D) Any internal investigations.

(4) [Verified] Confirmed that the applicant:

(A) has not had more than a 12-month consecutive break in service immediately preceding the current application;

(B) has completed all mandatory in-service training for the preceding calendar year;

(C) has [not committed any criminal offenses and does not have any convictions or pending criminal offenses that would prohibit certification;] no criminal convictions, outstanding criminal charges or an offense that would disqualify them from certification, pursuant to 12 NCAC 09B .0111, as verified through a comprehensive criminal background check;

(D) has not been the subject of any internal investigation investigation, disciplinary proceeding or pre-disciplinary proceeding, within the last 18 months that contains allegations that could prevent the law enforcement officer's certification; and

(E) has qualified pursuant to 09E .0106 of this Subchapter, with the assigned duty weapon which has been recorded on the Firearms Qualification Record, Form F-9A pursuant to 09E .0104 of this Subchapter.

(c) The Application for Lateral Certification, Form F-5D, shall contain the following:

(1) officer's name, date of birth, Acadis ID number;

(2) former agency, current agency, and hire date with current agency;

(3) current certification held;

(4) dates the criminal history records check and psychological screening were conducted;

(5) date the officer's personnel record was reviewed; and

(6) the name and signature of the current employing agency's head or authorized representative

(d) [(e)] Officers previously certified who were not previously required to meet the educational or basic training requirements shall not be required to meet such requirements when laterally transferring to another agency with less than a 12-month break in law enforcement service.

(e) For currently certified full time officers with no break in service, upon written request from the department head of the hiring agency, the Division shall waive for a period of no more than 60 days from the receipt of the Report of Appointment by the Standards Division the requirements of Subparagraphs of (b)(1), (b)(2), (b)(3), and (b)(4) of this Rule.

1
2 *History Note:* *Authority G.S. 17C-6; 17C-10;*
3 *Eff. January 1, 1981;*
4 *Amended Eff. April 1, 2018; October 1, 2017; May 1, 2009; July 1, 1990; March 1, 1990; July 1,*
5 *1989; July 1, 1982;*
6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
7 *2019;*
8 *Amended Eff. May 1, 2025; ~~March 1, 2024~~.*
9

1 **12 NCAC 09C .0307 is amended as published in 39:12 NCR 753-763 as follows:**

2
3 **12 NCAC 09C .0307 AGENCY RETENTION OF RECORDS OF CERTIFICATION**

4 (a) Each criminal justice agency shall place information with respect to employment, education, retention, and training
5 of its criminal justice officers in the criminal justice officer's personnel file as listed in Subparagraphs (a)(1) and (a)(2)
6 of this Rule. The files shall be available for examination in five days by representatives of the Commission for
7 verifying compliance with these Rules.

8 (1) Criminal Justice Officer with probationary certification:

- 9 (A) the officer's Personal History Statement (Form F-3), pursuant to 12 NCAC 09C .0201;
10 (B) the officer's Medical History Statement and Medical Examination Report (Form F-1 and
11 F-2), pursuant to 12 NCAC 09B .0104;
12 (C) documentation of the officer's drug screening results, pursuant to 12 NCAC 09C .0310;
13 (D) the Commission's Mandated Background Investigation Form as completed by the agency's
14 investigator, (Form F-8), pursuant to 12 NCAC 09B .0102;
15 (E) a summary of the officer's Qualifications Appraisal Interview, (Form F-4), prepared by the
16 agency's interviewers, pursuant to 12 NCAC 09C .0204. The Form F-4 identifies the officer
17 candidate interviewed, the position interviewed for, and the interviewer(s)' comments
18 regarding the applicant's appearance, manner, and bearing, ability to present ideas, social
19 adaptability, alertness and judgment, and interviewer(s) recommendation for employment;
20 (F) a copy of all certificates or diplomas obtained, pursuant to 12 NCAC 09B .0106;
21 (G) course listing(s) and completion date(s) of all criminal justice training completed by the
22 officer;
23 (H) the results of the officer's fingerprint record check, pursuant to 12 NCAC 09B .0103;
24 (I) a written summary of the officer's psychological examination results, pursuant to 12 NCAC
25 09B .0101(7);
26 (J) for the law enforcement officer, records of all in-service training received by the officer,
27 as set forth in 12 NCAC 09E .0103(3) and .0110(5) that the officer has completed the
28 minimum in-service training as required;
29 (K) certified copy of proof of age, citizenship, and educational requirements required in 12
30 NCAC 09B .0101;
31 (L) copy of Report of Appointment/Application for Certification (Form F-5A), pursuant to 12
32 NCAC 09C .0205;
33 (M) oath of office, pursuant to 12 NCAC 09C .0303;
34 (N) copy of firearms qualification (Form F-9A), pursuant to 12 NCAC 09E .0106;
35 (O) once separated, a copy of the Affidavit of Separation, Form F-5B), pursuant to 12 NCAC
36 09C .0208; and
37 (P) a copy of the electronic response for the AOC-CR-280, Law Enforcement Application for
38 Verification of Expunction under G.S. 15A-151.

- 1 (2) Criminal Justice Officer with general certification:
- 2 (A) the officer's Medical History Statement and Medical Examination Report (Form F-1 and
- 3 F-2), pursuant to 12 NCAC 09B .0104;
- 4 (B) documentation of the officer's drug screening results, pursuant to 12 NCAC 09C .0310;
- 5 (C) a copy of all certificates or diplomas obtained, pursuant to 12 NCAC 09B .0106;
- 6 (D) course listing(s) and completion date(s) of all criminal justice training completed by the
- 7 officer;
- 8 (E) the results of the officer's fingerprint record check, pursuant to 12 NCAC 09B .0103;
- 9 (F) for the law enforcement officer, records of all in-service training received by the officer,
- 10 as set forth in 12 NCAC 09E .0103(3) and .0110(5) that the officer has completed the
- 11 minimum in-service training as required;
- 12 (G) certified copy of proof of age, citizenship, and educational requirements required in 12
- 13 NCAC 09B .0101;
- 14 (H) copy of Report of Appointment/Application for Certification (Form F-5A), pursuant to 12
- 15 NCAC 09C .0205;
- 16 (I) oath of office, pursuant to 12 NCAC 09C .0303;
- 17 (J) copy of firearms qualification (Form F-9A), pursuant to 12 NCAC 09E .0106;
- 18 (K) once separated, a copy of the Affidavit of Separation, Form F-5B), pursuant to 12 NCAC
- 19 09C .0208; and
- 20 (L) a copy of the electronic response for the AOC-CR-280, Law Enforcement Application for
- 21 Verification of Expunction under G.S. 15A-151.
- 22 (3) Law Enforcement Officer hired as a lateral officer with probationary or general certification under
- 23 the provisions of 12 NCAC 09C ~~.0306 effective March 1, 2024.~~ .0306;
- 24 (A) the results of the officer's fingerprint record check, pursuant to 12 NCAC 09B .0103;
- 25 (B) records of all in-service training received by the officer, as set forth in 12 NCAC 09E
- 26 .0103(3) and .0110(5) that the officer has completed the minimum in-service training as
- 27 required;
- 28 (C) copy of Change of Name (Form F-19) or Application for Lateral Certification (Form F-
- 29 5D) pursuant to 12 NCAC 09C .0306;
- 30 (D) a copy of the electronic response for the AOC-CR-280, Law Enforcement Application for
- 31 Verification of Expunction under G.S. 15A-151;
- 32 (E) copy of firearms qualification (Form F-9A), pursuant to 12 NCAC 09E .0106;
- 33 (F) once separated, a copy of the Affidavit of Separation (Form F-5B), pursuant to 12 NCAC
- 34 09C .0208;
- 35 (G) basic law enforcement training certificate or record of completion;
- 36 (H) copy of the signed authorization to release records form; and

1 (I) the agency may have performed additional screening and selection tasks, and records for
2 those optional tasks are required to be maintained in the employee's file for audit by the
3 division.

4 (b) These records shall be maintained by the criminal justice agency in compliance with the North Carolina
5 Department of Natural and Cultural Resources Retention and Disposition Schedule established pursuant to G.S. 121
6 and G.S. 132.

7
8 *History Note:* *Authority G.S. 17C-2; 17C-6;*
9 *Eff. January 1, 1981;*
10 *Amended Eff. August 1, 1998; January 1, 1995; July 1, 1990; July 1, 1989; June 1, 1986;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019;*
13 *Amended Eff. May 1, 2025 ~~May 1, 2024~~; August 1, 2019.*
14
15

12 NCAC 09C .0401 is amended as published in 39:06 NCR 317-322 as follows:

12 NCAC 09C .0401 ~~ACCREDITATION~~ ACCREDITATION OF CRIMINAL JUSTICE SCHOOLS

(a) Any school ~~requesting accreditation,~~ applying for accreditation or re-accreditation, pursuant to ~~the Commission's authority to certify criminal justice training schools in~~ G.S. 17C-6, as ~~meeting the requirements contained in 12 NCAC 09B .0200 must~~ 17C-6 shall submit a completed Form F-10(SA) Request for School ~~Accreditation.~~ Accreditation, Form F-10(SA). The Form F-10(SA) is available on the agency's website: [http://www.ncdoj.gov/getdoc/9134b822-24a7-4d70-8a3b-b2bd807100c4/F-10\(SA\)-6-11.aspx](http://www.ncdoj.gov/getdoc/9134b822-24a7-4d70-8a3b-b2bd807100c4/F-10(SA)-6-11.aspx). The F-10(SA) Request for School Accreditation ~~[must]~~ shall contain the following:

- (1) The name of the requesting institution/agency;
- (2) The mailing address, phone number, and name of the institution head or executive officer;
- (3) The name, title or rank, address and phone number of the [designated] School Director
- (4) The type of Commission approved training course in which accreditation is being sought;
- (5) The type and location of all facilities to be used in administering the Commission approved training course; and
- (6) The signature of the institution head or executive officer.

(b) Upon receipt of a completed Request for School Accreditation application:

- (1) The Standards Division staff reviews the application and conducts a site visit to tour facilities, confirm information on the application, and determine if and where deficiencies exist;
- (2) The Standards Division Staff contacts the applying institution or agency concerning deficiencies and provides assistance on correcting problem areas;
- (3) The Standards Division staff recommends to the Education and Training Committee when the accredited institution has satisfied the requirements outlined in 12 NCAC 09B .0200; and
- (4) The Education and Training Committee recommends to the full Commission at its next regularly scheduled meeting the approval or denial of accreditation for the applicant institution or agency.

~~(b)-(c)~~ Accreditation or Re-accreditation of a school shall remain effective for five years from issuance unless earlier suspended or revoked for failure to maintain compliance with the requirements set forth in 12 NCAC 09B .0200, Minimum Standards for Criminal Justice Schools and Criminal Justice Training Programs or Courses of Instruction.

~~(e) The identity of those schools accredited under this Rule are published and distributed by the Standards Division, via the agency's website: <http://www.ncdoj.gov/CMSPages/GetFile.aspx?nodeguid=6eb7e157-87f7-40a3-b281-d95a36807bb9> and the schedule of criminal justice training courses planned for delivery during the succeeding year.~~

~~(d) A school may request reaccreditation from the Commission by submitting a completed Form F-10(SA) Request for School Accreditation form, located on the agency's website: [http://ncdoj.gov/getdoc/9134b822-24a7-4d70-8a3b-b2bd807100c4/F-10\(SA\)-6-11.aspx](http://ncdoj.gov/getdoc/9134b822-24a7-4d70-8a3b-b2bd807100c4/F-10(SA)-6-11.aspx). The Form F-10(SA) shall contain information on changes in facilities, equipment, and staffing. Upon receipt of a completed application:~~

- ~~(1) The Standards Division staff reviews the request for reaccreditation, conducts a site visit to tour facilities, confirms information on the application, determines if and where deficiencies exist, and attaches copies of the reports of site visits to the application;~~

(2) — The Standards Division staff submits the application and staff reports to the Education and Training Committee for review; and

(3) — The Education and Training Committee recommends to the full Commission at its next regularly scheduled meeting the approval or denial of accreditation of the applicant institution or agency.

(e) In instances where certified schools have been found to be in compliance with 12 NCAC 09B .0200 through favorable site visit reports, Standards Division staff shall reaccredit on behalf of the Commission. Such action shall be reported to the Education and Training Committee at its next scheduled meeting.

(f) (d) In instances where the Education and Training Committee determines the school seeking accreditation or reaccreditation is not in compliance with 12 NCAC 09B .0200, the school application and staff reports shall be reviewed by the Probable Cause Committee, as specified in 12 NCAC 09A .0201.

(g) (c) The Commission may suspend or revoke a school's accreditation when it finds that the school has failed to meet or continuously maintain any requirement, standard, or procedure for school or course accreditation. The Commission, by and through the Probable Cause Committee, shall summarily suspend the accreditation of a criminal justice school if the public health, safety, or welfare requires action pursuant to G.S. 150B-3.

(1) For the purpose of considering a summary suspension of accreditation, the Probable Cause Committee shall meet only during its regularly scheduled quarterly meeting or upon notice given by mail, telephone, or other means not less than 48 hours in advance of the meeting;

(2) This [A] summary suspension shall be effective on the date specified in the order of the summary suspension. A summary suspension becomes effective upon [suspension or upon service of the certified copy of the order at the last known address of the school, whichever is later.] oral notification to the executive officer or officers of the institution or agency sponsoring any criminal justice training program or course of instruction by the Director that the accreditation of the school is being summarily suspended. The school shall not perform any duties or conduct any courses requiring accreditation by the Commission;

(3) The summary suspension shall remain effective during the proceedings for suspension and [revocation] revocation, pursuant to 12 NCAC 09A .0201 and .0207;

(3) Upon oral notification to the executive officer or officers of the institution or agency sponsoring any criminal justice training program or course of instruction by the Director that the accreditation of a school is being summarily suspended by written order, the school shall not perform any duties or conduct any courses requiring accreditation by the Commission;

(4) The summary suspension [matter] shall be returned for a full hearing before the Probable Cause Committee at the next scheduled Commission meeting.

(h) ~~The Accreditation of a school whose accreditation is scheduled to expire in calendar year 2015 and who has submitted a request for recertification shall be extended for a maximum of two years under the following conditions:~~

(1) — accreditation has not expired;

(2) — the school has submitted a request for reaccreditation along with the required documentation by December 31, 2015.

1 ~~(3) — the Standards Division staff was unable to complete the recertification process by December 31,~~
2 ~~2014; and~~

3 ~~(4) — the school is not denied reaccreditation prior to the expiration of the current accreditation.~~
4 ~~Accreditation or accreditation extension according to this Paragraph expires when reaccreditation is~~
5 ~~denied or revoked or the Standards Division staff is able to complete the reaccreditation process and~~
6 ~~it is determined that the school is in compliance with the Rules for Reaccreditation. If the school~~
7 ~~reaccreditation is denied or revoked, the school shall not deliver Commission accredited criminal~~
8 ~~justice courses until such reaccreditation has been granted or reinstated by the Commission.~~

9 (f) The Commission shall suspend or revoke a school's accreditation when it finds that the school has failed to meet
10 or continuously maintain any requirement, standard, or procedure for school or course accreditation.

11
12 History Note: Authority G.S. 17C-6; 17C-11;
13 Eff. January 1, 1981;
14 Amended Eff. August 1, 2004, January 1, 1996;
15 Temporary Amendment Eff. January 1, 2007;
16 Temporary Amendment Expired October 13, 2007;
17 Amended Eff. February 1, 2016; April 1, 2008;
18 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
19 2019.
20 Temporary Amendment Eff. August 1, 2024
21 Amended Eff: May 1, 2025
22
23

12 NCAC 09C .0403 is amended as published in 39:06 NCR 317-322 as follows:

12 NCAC 09C .0403 REPORTS OF TRAINING COURSE PRESENTATION AND COMPLETION

(a) Each presentation of the "~~Basic Law Enforcement Training~~" course a Commission-accredited training course shall be reported to the Commission as follows:

(1) After acquiring accreditation for the course and before commencing each delivery of the course, the school director shall notify the Commission of the school's intent to offer the training course by submitting a Form ~~F-10A F-10A(LE)~~ Pre-delivery Report of Training Course ~~Presentation~~; Presentation. The Pre-Delivery Report of Training Course Presentation Form F-10A shall contain the number of training hours, training delivery period, location of training, and estimated number of attendees; and

(2) Not more than 10 days after completing delivery of the accredited course, the school director shall notify the Commission regarding the progress and achievement of each enrolled trainee by submitting a Form ~~F-10B F-10B(LE)~~ Post-delivery Report of Training Course ~~Presentation~~; [Presentation] Presentation, pursuant to 12 NCAC 09C .0212, and entering all student scores and class documents in the Acadis platform.

~~Forms F-10A(LE) and F-10B(LE) are located on the agency's website at: <http://www.ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-Standards/Criminal-Justice-Education-and-Training-Standards/Forms-and-Publications.aspx>.~~

~~Note: Special arrangements shall be made between the Standards Division and the school director for the reporting of law enforcement achievement in a Public Safety Officer course.~~

(b) Upon completion of a Commission-accredited training course by Juvenile Justice Officer and Chief/Juvenile Court Counselor trainees, the director of the school conducting such course shall notify the Commission of the achievement of trainees by submitting a Report of Training Course Completion ~~(Form F-11).~~ Form F-11, pursuant to 12 NCAC 09B .0235. ~~This form is located on the agency's website:~~

~~http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx.~~

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

Eff. January 1, 1981;

Amended Eff. January 1, 2015; August 1, 2002; August 1, 2000; December 1, 1987;

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, –
2019, 2019;*

Amended Eff. May 1, 2025.

~~The Pre delivery Report of Training Course Presentation is a form on which the School Director notifies the Commission of its intent to present the Basic Law Enforcement Training course. Information requested includes:~~

- 1 ~~(1) — The number of training hours;~~
- 2 ~~(2) — The training delivery period;~~
- 3 ~~(3) — Location;~~
- 4 ~~(4) — Anticipated number of trainees;~~
- 5 ~~(5) — The requested date and location for the administration of the state comprehensive exam; and~~
- 6 ~~(6) — Topical course schedule including proposed instructional assignments.~~
- 7

1 12 NCAC 09E .0104 is amended as published in 39:12 NCR 753-763 as follows:

3 12 NCAC 09E .0104 INSTRUCTORS: ANNUAL IN-SERVICE TRAINING

4 The following requirements and responsibilities are hereby established for instructors who conduct the law
5 enforcement officers' annual in-service training program:

6 (1) The instructor shall hold Instructor Certification issued by the Commission as outlined in 12 NCAC
7 09B .0302, 09B .0304, and 09B .0306, except for ~~instructors:~~ instructors who exclusively deliver:

8 (A) ~~delivering~~ CPR certifications that include cognitive and skills testing;

9 (B) ~~delivering~~ use of equipment training conducted by a manufacturer, manufacturer's
10 representative or a service provider and documented through a certificate of completion;
11 or

12 (C) ~~delivering~~ Incident Command System training for NIMS (National Incident Management
13 System) compliance who are certified through FEMA (Federal Emergency Management
14 Agency) as Incident Command Instructors.

15 (2) ~~In addition, each~~ Each instructor certified by the Commission to teach in a Commission-accredited basic
16 training, Speed Measuring Instrument Operator or Instructor training, Instructor or Specialized Instructor
17 training, or ~~Commission-recognized~~ Commission-approved in-service training course shall ~~remain~~
18 ~~competent in his or her specific or specialty areas. Such competence includes remaining current in the~~
19 ~~instructor's area of expertise, which may be demonstrated by completing~~ complete all instructor training
20 required by this Chapter. ~~updates issued by the Commission.~~

21 ~~(2)(3)~~ Instructors who teach a required in-service training topic, other than a topic taught pursuant to
22 Paragraph (1) of this ~~Rule, or a Firearms Training and Qualification course pursuant to Rule~~
23 ~~.0105(a)(1) of this Section,~~ rule shall achieve a passing grade on a topic specific test developed by
24 the North Carolina Justice Academy or by the agency delivering the ~~training.~~ training before
25 delivering the topic of instruction.

26 (4) Instructors who teach a required in-service training topic online shall also complete the in-service
27 training for the topic he or she will be ~~teaching.~~ teaching before delivering the topic of instruction.

28 (5) Instructors who teach an in-service training topic in a traditional classroom format will receive credit
29 toward their own in-service training requirements, provided that they pass all required ~~tests~~ tests, as
30 outlined in this section, and have their instruction documented by the ~~Department~~ Agency Head or
31 In-Service Training Coordinator once completed.

32 ~~(3)~~ ~~Instructors who, no more than 60 days prior to the upcoming calendar year, [shall] complete~~
33 ~~mandated in-service topics in their entirety pursuant to 12 NCAC 09E .0105 as presented by the~~
34 ~~North Carolina Justice Academy as part of the Instructor Training Update program.~~ program shall
35 have satisfied the requirements of 12 NCAC 09E .0105 for the upcoming calendar year.

36 ~~(4)~~ (6) The instructor shall deliver the training consistent with the specifications established in ~~Rules~~ Rule
37 09E .0105 and .0106.

(5) (7) The instructor shall report the successful or unsuccessful completion of training for each officer to the ~~Department~~ Agency Head.

(6) (8) When the officer fails to qualify with a weapon, the instructor shall inform the officer of the failure to qualify. The instructor shall then provide the officer with Firearms Qualification Record Form F-9A which the officer is required to sign. ~~that the officer did not qualify and the instructor shall deliver a Commission form F 9A (Firearms Qualification and Record) to the officer that shall be signed by the officer.~~ This form shall instruct the officer not to use the weapon and shall require the officer to notify the ~~Department~~ Agency Head or designated representative within 24 hours of the ~~failure to qualify.~~ qualification failure. Additionally, the ~~The~~ instructor shall ~~personally deliver~~ provide this form ~~or send the form by certified mail~~ to the ~~Department head~~ Agency Head or designated representative within 72 hours of the ~~failure to qualify.~~ qualification failure. The Form F-9A Firearms Qualification Record shall contain the following:

- (A) officer's name and appointing agency;
- (B) instructor's name and signature;
- (C) date the classroom section was completed;
- (D) officer's acknowledgment of qualification scores; and
- (E) firearms score sheet.

All Commission forms are available for download on the Criminal Justice Standards Division website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

History Note: Authority G.S. 17C-6; 17C-10;
Eff. July 1, 1989;
Amended Eff. July 1, 2016; May 1, 2014; February 1, 2013; April 1, 2008; January 1, 2006; January 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. May 1, 2025; ~~July 1, 2020.~~

12 NCAC 09E.0108 is amended as published in 39:12 NCR 753-763 as follows:

12 NCAC 09E .0108 FAILURE TO COMPLETE ANNUAL IN-SERVICE TRAINING

(a) Law enforcement officers certified by the North Carolina Criminal Justice Education and Training Standards Commission shall complete a minimum of 24 in-service training credits each year as published by the Commission.

(b) When the Commission specifies topics ~~for~~ that total less than 24 ~~hours,~~ credits for a specific year, the remaining training ~~hours~~ credits shall be in topics identified by their respective agency heads. ~~In selecting the remaining training credits, the~~ ~~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,~~ Commission, pursuant to 12 NCAC 09B .0301. Alternatively, in selecting the remaining training credits, the agency head may choose any topic: (1) ~~topics~~ delivered pursuant to Rule .0104(1) of this ~~Section,~~ Section: ~~and~~ or (2) National Certification Programs (NCP) administered by the International Association of Directors of Law Enforcement Standards and Training (IADLEST) completed during ~~the mandated in-service~~ that specific year. ~~year, shall satisfy in part or in whole the topic requirements set forth by the agency head. To satisfy this requirement, these~~ These topics shall not be required to be written in Instructional Systems Design format or delivered by an instructor certified by the Commission. ~~With the exception of those law enforcement officers who were hired on or after July 1st, pursuant to 12 NCAC 09E .0103(2), failure~~ Failure to successfully complete the annual in-service training topics as specified in 12 NCAC 09E .0102 within the calendar year shall result in suspension of the law enforcement officer's certification.

~~(b)~~ (c) 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 North Carolina Justice Academy or the approved curriculum developer having received NJP approval for each in-service topic requiring testing. The Firearms and Qualifications in-service course and topics delivered pursuant to Rule .0104 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.

~~(b)~~ ~~(c)~~ (d) Upon notification that a law enforcement officer who has been continuously employed with an agency during the 12 month calendar year has failed to meet the requirements for in-service training, ~~as specified in 12 NCAC 09E .0102,~~ ~~0103(2),~~ the officer's certification shall be suspended by the Standards Division Director.

~~(c)~~ ~~(d)~~ (e) No officer suspended under Paragraph (b) of this Rule shall work as a certified law enforcement officer until:

- (1) the department head or designated representative forwards to the Commission documentary evidence verifying that the officer has complied with the requirements for reinstatement of certification as specified in this subsection; and

(2) the ~~department~~ agency head or designated representative and the officer receive from the Commission documentation that the Commission has terminated the suspension and reissued law enforcement certification to the suspended officer.

~~(d)~~ ~~(e)~~ (f) If an officer has separated from an agency with less than a 12-month break in law enforcement service and is later reemployed as a law enforcement officer during the same calendar year, the officer shall ~~have completed all of the in-service training topics as specified in 12 NCAC 09E .0102~~ complete the annual in-service training, as outlined in paragraphs (a) and (b) of this rule. by the end of that same calendar year. Upon notification by the agency head that such officer has failed to meet all the requirements for in-service training, ~~as specified in 12 NCAC 09E .0102~~, the law enforcement officer's certification shall be ~~suspended.~~ suspended, pursuant to 12 NCAC 09A .0206(a)(2).

~~(e)~~ ~~(f)~~ (g) If an officer has separated from an agency with less than a 12 month break in law enforcement service and is later reemployed as a law enforcement officer during the subsequent calendar year, the officer shall ~~have completed all of the in-service training topics as specified in 12 NCAC 09E .0102~~ complete the annual in-service training, as outlined in paragraphs (a) and (b) of this rule. by the end of the subsequent calendar year. Upon notification by the agency head that such officer has failed to meet all the requirements for in-service training, ~~as specified in 12 NCAC 09E .0102~~, the law enforcement officer's certification shall be ~~suspended.~~ suspended, pursuant to 12 NCAC 09A .0206(a)(2).

History Note: Authority G.S. 17C-6; 17C-10;
Eff. January 1, 2005;
Amended Eff. April 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Amended Eff: May 1, 2025

1 **12 NCAC 09G .0102 is amended as published in 39:12 NCR 753-763 as follows:**

2
3 **12 NCAC 09G .0102 DEFINITIONS**

4 The following definitions apply throughout this Subchapter only:

- 5 (1) "Agency" means those state and local agencies identified in G.S. 17C-2(2).
- 6 (2) "Commission" means the North Carolina Criminal Justice Education and Training Standards
7 Commission identified in G.S. 17C.
- 8 (3) "Commission of an offense" means a finding by the North Carolina Criminal Justice Education and
9 Training Standards Commission or **equivalent regulating body from another state** ~~an administrative~~
10 ~~body~~ that a person performed the acts necessary to satisfy the elements of a specified offense.
- 11 (4) "Convicted" or "Conviction" means, the entry of:
- 12 (a) a plea of guilty;
- 13 (b) a verdict or finding of guilt by a jury, judge, magistrate, or other duly constituted,
14 established adjudicating body, tribunal, or official, either civilian or military; or
- 15 (c) a plea of no contest, nolo contendere, or the equivalent.
- 16 (5) "Correctional Officer" means an employee of the North Carolina Department of ~~Public Safety,~~
17 ~~Division of Adult Correction and Juvenile Justice,~~ Correction, responsible for the custody of inmates
18 or offenders.
- 19 (6) "Corrections Officer" means either or both of the two classes of officers employed by the North
20 Carolina Department of ~~Public Safety, Division of Adult~~ Correction; ~~Correction and Juvenile~~
21 ~~Justice~~; correctional officer or probation/parole officer.
- 22 (7) "Criminal Justice System" means the whole of the State and local criminal justice agencies including
23 the North Carolina Department of ~~Public Safety, Division of Adult Correction and Juvenile Justice,~~
24 Correction.
- 25 (8) "Director" means the Director of the Criminal Justice Standards Division of the North Carolina
26 Department of Justice.
- 27 (9) "Educational Points" means points earned toward the State Correction Officers' Professional
28 Certificate Program for studies completed, with passing scores achieved, for semester hour or
29 quarter hour credit awarded from colleges or universities accredited by the Department of Education
30 of the state in which the institution is located, from an accredited body recognized by either the U.S.
31 Department of Education or the Council for Higher Education Accreditation, or from the state
32 university of the state in which the institution is located. Each semester hour of college credit equals
33 one educational point and each quarter hour of college credit equals two-thirds of an educational
34 point.
- 35 (10) "High School" means a high school that meets the compulsory attendance requirements in the
36 jurisdiction in which the school is located.

1 (11) "In-Service Training Coordinator" means a person designated by a Criminal Justice Agency head to
2 administer the agency's In-Service Training program.

3 (12) "Misdemeanor" means those criminal offenses not classified under the laws, statutes, or ordinances
4 as felonies. Misdemeanor offenses are classified by the Commission as follows:

5 (a) "Class A Misdemeanor" means a misdemeanor committed or omitted in violation of any
6 common law, duly-enacted ordinance, or criminal statute of this State that is not classified
7 as a Class B Misdemeanor pursuant to Sub-item (12)(b) of this Rule. Class A Misdemeanor
8 also includes any act committed or omitted in violation of any common law, duly enacted
9 ordinance, criminal statute, or criminal traffic code of any jurisdiction other than North
10 Carolina, either civil or military, for which the maximum punishment allowable for the
11 designated offense under the laws, statutes, or ordinances of the jurisdiction in which the
12 offense occurred includes imprisonment for a term of not more than six months. Excluded
13 from "Class A Misdemeanor" criminal offenses for jurisdictions other than North Carolina
14 are motor vehicle or traffic offenses designated as misdemeanors under the laws of other
15 jurisdictions or duly enacted ordinances of an authorized governmental entity, with the
16 exception of the offense of impaired driving that is included herein as a Class A
17 Misdemeanor if the offender could have been sentenced for a term of not more than six
18 months. Also included herein as a Class A Misdemeanor is the offense of impaired driving,
19 if the offender was sentenced under punishment level three G.S. 20-179(i), level four G.S.
20 20-179(j), or level five G.S. 20-179(k). Class A Misdemeanor shall also include acts
21 committed or omitted in North Carolina prior to October 1, 1994, in violation of any
22 common law, duly enacted ordinance, or criminal statute of this State for which the
23 maximum punishment allowable for the designated offense included imprisonment for a
24 term of not more than six months.

25 (b) "Class B Misdemeanor" means an act committed or omitted in violation of any common
26 law, criminal statute, or criminal traffic code of this State that is classified as a Class B
27 Misdemeanor as set forth in the Department of Adult Correction section of the Class B
28 Misdemeanor Manual as published by the North Carolina Department of Justice,
29 incorporated herein by reference, and shall include any later amendments and editions of
30 the incorporated material as provided by G.S. 150B-21.6. The publication is available from
31 the Commission's website: <http://www.ncdoj.gov/getdoc/60bb12ca-47c0-48cb-a0e3-6095183c4c2a/Class-B-Misdemeanor-Manual-2005.aspx>. Class B Misdemeanor also
32 includes any act committed or omitted in violation of any common law, duly enacted
33 ordinance, criminal statute, or criminal traffic code of any jurisdiction other than North
34 Carolina, either civil or military, for which the maximum punishment allowable for the
35 designated offense under the laws, statutes, or ordinances of the jurisdiction in which the
36 offense occurred includes imprisonment for a term of more than six months but not more
37

than two years. Excluded from this grouping of "Class B Misdemeanor" criminal offenses for jurisdictions other than North Carolina, are motor vehicle or traffic offenses designated as being misdemeanors under the laws of other jurisdictions with the following exceptions: Class B Misdemeanor includes the following:

- (i) either first or subsequent offenses of driving while impaired if the maximum allowable punishment is for a term of more than six months but not more than two years;
- (ii) driving while license permanently revoked or permanently suspended;
- (iii) those traffic offenses occurring in other jurisdictions which are comparable to the traffic offenses specifically listed in the Class B Misdemeanor Manual; and
- (iv) an act committed or omitted in North Carolina prior to October 1, 1994, in violation of any common law, duly enacted ordinance, criminal statute, or criminal traffic code of this State for which the maximum punishment allowable for the designated offense included imprisonment for a term of more than six months but not more than two years.

(13) "Pilot Courses" means those courses approved by the Education and Training Committee, consistent with 12 NCAC 09G .0404, which are used to develop new training course curricula.

(14) "Probation/Parole Officer" means an employee of the North Carolina Department of ~~Public Safety,~~ Division of Adult Correction and Juvenile Justice, Correction, whose duties include supervising, evaluating, or otherwise instructing offenders placed on probation, parole, post release supervision, or assigned to any other community-based program operated by the ~~Division~~ Department of Adult ~~Correction and Juvenile Justice.~~ Correction.

(15) "Qualified Assistant" means an additional staff person designated as such by the School Director to assist in the administration of a course when a certified institution or agency assigns additional responsibilities to the certified School Director during the planning, development, and implementation of a certified course.

(16) "School" means an institution, college, university, academy, or agency that offers penal or corrections training for correctional officers or probation/parole officers. "School" includes the corrections training course curricula, instructors, and facilities.

(17) "School Director" means the person designated by the Secretary of the North Carolina Department of ~~Public Safety,~~ Division of Adult Correction and Juvenile Justice to administer the School.

(18) "Standards Division" means the Criminal Justice Standards Division of the North Carolina Department of Justice.

~~(19) "State Corrections Training Points" means points earned toward the State Corrections Officers' Professional Certificate Program by completion of Commission approved corrections training courses. Twenty classroom hours of Commission approved corrections training equals one State Corrections training point.~~

1
2 *History Note:* *Authority G.S. 17C-2; 17C-6; 17C-10; 153A-217;*
3 *Temporary Adoption Eff. January 1, 2001;*
4 *Eff. August 1, 2002;*
5 *Amended Eff. December 1, 2018; January 1, 2017; January 1, 2015; April 1, 2009; August 1, 2004;*
6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
7 *2019;*
8 *Amended Eff. May 1, 2025; ~~May 1, 2023~~.*
9

1 12 NCAC 09G .0201 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09G .0201 — EMPLOYMENT PROCESS: DOCUMENTATION: AND RECORDS RETENTION~~

4 ~~(a) The North Carolina Department of Correction is a state agency and is subject to G.S. 126. The employment process~~
5 ~~shall be consistent with the rules established by the State Personnel Commission as authorized by G.S. 126-4(6) and~~
6 ~~126-4(7)(a).~~

7 ~~(b) The North Carolina Department of Correction shall document the employment process and that the minimum~~
8 ~~standards for employment have been satisfied through forms as approved by the State Personnel Commission.~~

9 ~~(c) The North Carolina Department of Correction shall maintain and release those employment records in accordance~~
10 ~~with G.S. 126-24.~~

11
12 *History Note: Authority G.S. 126-4; 126-24;*
13 *Temporary Adoption Eff. January 1, 2001;*
14 *Eff. August 1, 2002;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
16 *2019.*
17 *Repeal Eff. May 1, 2025*

12 NCAC 09G .0303 is amended as published in 39:12 NCR 753-763 as follows:

12 NCAC 09G .0303 PROBATIONARY CERTIFICATION

(a) A prospective employee may commence ~~active~~ service as a correctional officer or probation/parole officer at the time of ~~employment.~~ employment with the North Carolina Department of Adult Correction.

(b) Within 90 days of appointment to a position for which the Commission requires certification, the North Carolina Department of ~~Public Safety, Division of Adult Correction and Juvenile Justice~~ shall submit a completed ~~Report of Appointment/Application~~ Application for Certification Corrections Officer (F-5A [DAC]) to the Standards Division. The ~~Report of Appointment/Application~~ Application for Certification Corrections Officer (F-5A [DAC]) shall include ~~the:~~ includes information regarding the appointee's personal identification, education, military service record, and any criminal convictions.

(1) applicant's name, social security number, date of birth, driver's license number, and email;

(2) position being applied for;

(3) criminal offense record;

(4) past disciplinary actions;

(5) military service record;

(6) education information; and

(7) signature of agency head or authorized representative.

(c) The Commission shall certify as a probationary officer a person meeting the standards for certification when the North Carolina Department of ~~Public Safety, Division of Adult Correction and Juvenile Justice~~ submits a completed ~~Report of Appointment/Application~~ Application for Certification Corrections Officer (Form F-5A [DAC]) to the Standards Division.

(d) The Standards Division shall issue the officer's Probationary Certification to the North Carolina Department of ~~Public Safety, Division of Adult Correction and Juvenile Justice.~~ Correction.

(e) The officer's Probationary Certification shall remain valid for one year from the date the certification is issued by the Standards Division unless sooner suspended or revoked pursuant to Rule .0503 of this Subchapter or the officer has attained General Certification.

(f) Pursuant to 12 NCAC 09G .0201, the North Carolina Department of Adult Correction shall maintain documentation of Probationary Certification in the officer's personnel records. Documentation of Probationary Certification shall be maintained with the officer's personnel records with the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice and the Commission.

History Note: Authority G.S. 17C-6; 17C-10;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. January 1, 2015; August 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Amended Eff. May 1, 2025

1 12 NCAC 09G .0312 is repealed as published in 39:06 NCR 317-322 as follows:

2
3 ~~12 NCAC 09G .0312 — INSTRUCTOR CERTIFICATION RENEWAL~~

4 ~~(a) Individuals who hold Specialized Instructor Certification may, for just cause, be granted an extension of the three-~~
5 ~~year period to teach the 12 hour minimum requirement, pursuant to Rule .0311(c) of this Section. The Director of the~~
6 ~~Standards Division may grant such extensions on a one time basis only not to exceed 12 months. For purposes of this~~
7 ~~Rule, just cause means accident, illness, emergency, course cancellation, or other exceptional circumstances which~~
8 ~~precluded the instructor from fulfilling the teaching requirement.~~

9 ~~(b) The Director of the Standards Division may, for just cause, grant an extension of the 90 day period in which an~~
10 ~~instructor's renewal application must be submitted as specified in 12 NCAC 09G .0311(c). Such extension, however,~~
11 ~~shall not exceed 12 months and shall not extend the instructor's certification period beyond its specified expiration~~
12 ~~period.~~

13
14 *History Note: Authority G.S. 17C-6;*
15 *Temporary Adoption Eff. January 1, 2001;*
16 *Eff. August 1, 2002;*
17 *Amended Eff. January 1, 2017; August 1, 2006; January 1, 2006;*
18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
19 *2019.*
20 *Repeal Eff. May 1, 2025*
21

1 12 NCAC 09G .0313 is repealed as published in 39:12 NCR 753-763 as follows:

2
3 ~~12 NCAC 09G .0313 — CORRECTIONS INSTRUCTOR TRAINING~~

4 ~~(a) To successfully complete Corrections Instructor Training, the trainee shall:~~

5 ~~(1) — complete all of the required course work pursuant to 12 NCAC 09B .0209. All trainee presentations~~
6 ~~shall have met the criteria and conditions specified in the course orientation of the "Instructor~~
7 ~~Training Manual", as published by the North Carolina Justice Academy; and~~

8 ~~(2) — attain the passing score on each performance area as specified in the course abstract of Instructor~~
9 ~~Training Manual for the final written lesson plan and final 70 minute presentation.~~

10 ~~(b) If a trainee fails to meet the minimum criteria on the final lesson plan or the final 70 minute presentation, he or~~
11 ~~she shall be authorized one opportunity to correct either of these deficiencies by the end of the course.~~

12
13 *History Note: Authority G.S. 17C-6;*
14 *Temporary Adoption Eff. January 1, 2001;*
15 *Eff. January 1, 2018; August 1, 2002;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
17 *2019;*
18 *Amended Eff. January 1, 2021.*
19 *Repeal Eff. May 1, 2025*
20