

12 NCAC 09B .0302 is amended with changes as published in 34:06 NCR 486-489 as follows:

12 NCAC 09B .0302 GENERAL INSTRUCTOR CERTIFICATION

(a) A General Instructor Certification issued after December 31, 1984, shall be limited to those topics that are not expressly incorporated under the Specialized Instructor Certification category. Individuals certified under the general instructor category shall not teach any of the subjects specified in Rule .0304 of this Section, Subchapter, entitled "Specialized Instructor Certification." To qualify for issuance of ~~General Probationary~~ Instructor Certification, an applicant shall demonstrate a combination of education and experience in criminal justice and proficiency in the instructional process by meeting the following requirements:

- (1) Present documentary evidence showing that the applicant:
 - (A) is a high school, college, or university graduate or has received a high school equivalency credential as recognized by the issuing state; and
 - (B) has acquired four years of practical experience as a Criminal Justice Officer, an administrator or specialist in a field directly related to the criminal justice system, or as an employee of a Criminal Justice Agency;
- (2) Present evidence showing completion of a Commission-accredited instructor training program or an equivalent instructor training course. ~~course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise; and~~
- (3) Achieve a passing score on the comprehensive written examination administered by the Commission, as required by Rule .0413(d) of this Subchapter.

(b) Applications for ~~General Probationary~~ Instructor Certification shall be submitted to the Standards Division within ~~60~~ sixty days of the date the applicant passed the state State comprehensive examination administered at the conclusion of the Commission-accredited instructor training program. ~~program or an equivalent instructor training course use the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise.~~

~~(c) Persons having completed a Commission-accredited instructor training course or an equivalent instructor training course using the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise, and not having made application within 60 days of completion of the course shall complete a subsequent Commission-accredited instructor training course or an equivalent instructor training course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise, in its entirety.~~

~~(d) Applicants for Speed Measuring Instrument Instructor courses shall possess probationary or General Instructor Certification.~~

(c) Persons having completed a Commission-accredited training course and not having submitted the application within sixty days of the date the applicant passed the [state] State comprehensive examination shall complete a subsequent Commission-accredited instructor training course in its entirety. entirety by completing the requirements in Paragraph (a) of this Rule.

(d) Out-of-State applicants having completed an equivalent instructor training course and who are certified or have been certified within two years prior to the submission of application to the Standards Division as an instructor in a Criminal Justice Program, as verified by the respective State Police Officer Standards and Training (POST) or Federal Law Enforcement Training Center (FLEC) or military POST organization, are eligible to apply for Probationary Instructor Certification upon achieving a passing score of 75% on the comprehensive written examination administered by the Commission, as required by Rule .0413(d) of this Subchapter. The application shall be submitted to the Standards Division within sixty days of the date the applicant passed the [state] State comprehensive examination.

(e) The Standards Division staff shall evaluate the out-of-state applicant's combined training and experience to determine if the combined training and experience is [substantially] equivalent to or exceeds the requirements for Probationary Instructor certification as prescribed in [paragraphs] Paragraphs (a)(1-2) of this Rule and includes course topics in instructional leadership, liability, teaching adults, presentation [styles] styles, and written lesson plan preparation.

(f) Applicants for Speed Measuring Instrument Instructor courses shall possess probationary or General Instructor Certification.

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

Eff. January 1, 1981;

Amended Eff. October 1, 2017; January 1, 2017; February 1, 2016; January 1, 2015; January 1, 2006; May 1, 2004; August 1, 2000; July 1, 1991; December 1, 1987; October 1, 1985; January 1, 1985;

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

Amended Eff. February 1, 2020.

12 NCAC 09B .0314 is adopted with changes as published in 34:06 NCR 486-489 as follows:

12 NCAC 09B .0314 CERTIFICATION OF DIVERSION INVESTIGATORS AND SUPERVISORS

(a) The diversion training courses for investigators and supervisors shall be designed to provide the trainee with the skills and knowledge to proficiently perform the duties of a law enforcement Diversion Investigator or Supervisor. The diversion training course for investigators shall be twenty-four classroom hours. The diversion training course for supervisors shall be administered in a four hour online training course. To be certified as a Diversion Investigator or Diversion Supervisor he or she the trainee shall complete the respective diversion training course and achieve a minimum score of 70 percent on the comprehensive written (Investigator) or online (Supervisor) examination.

(b) Only a Sheriff, deputy sheriff, or law enforcement officer certified or appointed through the North Carolina Criminal Justice Education and Training Standards or North Carolina Sheriff Sheriffs Education and Training Standards Commissions and employed by a law enforcement agency shall be enrolled in a diversion training course. Such a A trainee shall not be certified as a Diversion Investigator or Diversion Supervisor until the Basic Law Enforcement Training course, pursuant to Rule 09B .0205 of this Chapter, has been completed with passing scores and probationary or general law enforcement certification has been granted. Sheriffs and appointed deputy sheriffs shall be allowed to participate in the diversion training courses on a space available basis at the discretion of the Diversion Training Course School Director without having enrolled in, or having completed with passing scores, the Basic Law Enforcement Training course, pursuant to Rule 09B .0205 and .0206 09G .0411 of this Chapter and without being currently certified in a probationary status or holding justice officer certification.

(c) Those Special Agents with the North Carolina State Bureau of Investigation previously deemed Diversion Investigators as of July 1, 2019, shall be automatically granted certification under this rule Rule for a period of three years.

(d) The “Diversion Training Courses” required for certification, authored by the North Carolina State Bureau of Investigation and published by the North Carolina Justice Academy, shall include the topic areas as outlined in NCGS 17C-6(a)(19) and is to be applied as the basic curriculum for the Diversion Training Courses for Diversion Investigator and Diversion Supervisors as administered by the Commission. Copies of this publication may be inspected at the office of the agency:

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

and obtained at cost from the Academy at the following address:

North Carolina Justice Academy
Post Office Box 99
Salemburg, North Carolina 28385

- 1 History Note: Authority G.S. 17C-6; G.S. 17E-4, 90-113.74E
- 2 Eff. February 1, 2020.