

REQUEST FOR TECHNICAL CHANGE

AGENCY: Sheriffs' Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .0510

DEADLINE FOR RECEIPT: Friday, July 9, 2021

NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

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

On the Submission for Permanent Rule Form, Box 2, please correct the spelling of "Certification"

In the Rule:

In (b)(2), lines 19-21, do you still need this sentence, as the deadline has now passed?

On line 23, should this cross reference now be to Paragraph (g) of the Rule?

On line 27, as you did not publish "(f)" here, simply delete it. Do not show it as a change.

On line 28, delete the comma after "2018" and "2020"

Also on line 28, I believe "basic" should be lowercase to be consistent with the change to line 19.

On line 29, and in (g), Page 2, line 25, the term "course" is lowercase. However, it is capitalized elsewhere within the Rule, such as line 20. Please be consistent with capitalization of this term.

In (c), line 34, please underline the addition of "(g)"

On line 35, I believe the cross-reference should now be to Paragraph (g).

In (e), Page 2, lines 12-13, do you still need the language, "For School Resource Officers who complete the basic SRO training requirement in 2020 or earlier, this requirement becomes effective January 1, 2021. Otherwise"? Since the deadline has passed, couldn't you say, "This requirement become effective..."?

In (f), line 20, what is a "traditional classroom format"?

On line 21, "Rule" should be capitalized. As it was published correctly in the Register, you will not show this as a change – simply do it.

Also on line 21, what are the "required tests"? Is this set forth elsewhere in your Rules?

Amanda J. Reeder
Commission Counsel
Date submitted to agency: June 24, 2021

On line 23, please remove the underlining from (f) As this was published correctly in the Register, do not show it as a change – simply do it.

In the History Note, Page 3, state:

*History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 2019;
Amended Eff. August 1, 2021; January 1, 2020.*

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

12 NCAC 10B .0510 IS AMENDED AS PUBLISHED IN VOLUME 35, ISSUE 20, PAGES 2221 – 2222 OF THE NORTH CAROLINA PUBLIC REGISTER AS FOLLOWS:

12 NCAC 10B .0510 CERTIFICATION AND TRAINING FOR SCHOOL RESOURCE OFFICERS

(a) A "School Resource Officer (SRO)" is defined as any law enforcement officer assigned to one or more public schools within a local school administrative unit, as defined in G.S. 115C-5(6), who works in a school at least 20 hours per week for more than 12 weeks per calendar year to assist with all of the following:

- (1) School safety;
- (2) School security;
- (3) Emergency preparedness;
- (4) Emergency response; and
- (5) Any additional responsibilities related to school safety or security assigned by the officer's employer while the officer is acting as a School Resource Officer.

Any written memorandum of understanding between the local school administrative unit and the law enforcement agency governing the School Resource Officer shall be consistent with this Paragraph.

(b) Deputy Sheriffs assigned by their agency to perform duties as a School Resource Officer shall:

- (1) have been issued general certification by the North Carolina Sheriffs' Education and Training Standards Commission as a Deputy Sheriff; and
- (2) have until December 31, 2020 to complete the ~~Basic~~ basic School Resource Officer Training Course if they are acting in the capacity of a School Resource Officer between January 1, 2019 and December 31, 2019. Any officer assigned as a School Resource Officer effective January 1, 2020 or later shall complete the Basic School Resource Officer Training course pursuant to Paragraph (f) of this Rule, within one year after being assigned as a School Resource Officer. Deputy Sheriffs who previously completed the training pursuant to Paragraph (f) of this Rule at any time and who have been continually assigned as an SRO pursuant to Paragraph (a) of this Rule shall be credited with completion of the ~~Basic~~ basic School Resource Officer Training course. Deputy Sheriffs who completed the training pursuant to Paragraph (f) (g) of this Rule between October 1, 2018, and December 31, 2020, shall be credited with completion of the Basic School Resource Officer Training course even if they were not assigned as an SRO pursuant to Paragraph (a) of this Rule as long as they comply with the annual SRO refresher training pursuant to Paragraph (e) of this Rule.

(c) A Deputy Sheriff assigned to one or more public schools within a local school administrative unit, who works in a school at least 20 hours per week for more than 12 weeks per calendar year and who has not completed the initial training as established by Paragraph (f) (g) of this Rule shall not work in a school as a School Resource Officer until the officer has completed the initial training as established by Paragraph (f) of this Rule.

(d) The agency head shall submit to the Sheriffs' Standards Division a Form F-20 Commission School Resource Officer Assignment Form for the person(s) selected to act as a School Resource Officer for the agency. The Form F-

20 is located on the agency's website: <https://ncdoj.gov> and must be completed in its entirety. The Form F-20 Commission School Resource Officer Assignment Form consists of the following:

- (1) applicant's name;
- (2) date of birth;
- (3) social security number;
- (4) name of agency and address;
- (5) date awarded general certification;
- (6) completion date of School Resource Officer training; and
- (7) date assigned as a School Resource Officer.

(e) The term of certification as a School Resource Officer shall be indefinite, provided the School Resource Officer completes during each calendar year one credit of School Resource Officer refresher training authored by North Carolina Justice Academy. For School Resource Officers who complete the basic SRO training requirement in 2020 or earlier, this requirement becomes effective January 1, 2021. Otherwise, this requirement becomes effective the year following the officer's successful completion of the ~~Basic~~ basic School Resource Officer Training course. A certified School Resource Officer who has not completed the refresher training during a calendar year as established by this Rule shall not work in a school as a School Resource Officer until the officer has completed the required refresher training as established by this Rule. Any refresher training that is not completed during a single calendar year must be made up on or before January 31st of the following calendar year. Any officer who fails to resolve a deficiency in the refresher training shall no longer maintain School Resource Officer certification.

(f) Instructors who teach a basic SRO course in a traditional classroom format will receive credit toward the completion of the basic SRO course requirement as required by this rule, provided they pass all required tests and have their instruction documented by the Agency Head or In-Service Training Coordinator once completed.

~~(f)~~ (g) The School Resource Officer training course for Deputy Sheriffs shall provide the trainee with the skills and knowledge to perform in the capacity of a School Resource Officer. The ~~Basic~~ basic School Resource Officer Training course authored by the North Carolina Justice Academy shall be used as the curriculum for this training course. Copies of this publication may be inspected at the agency:

Sheriffs' Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Post Office Drawer 629
Raleigh, North Carolina 27602

and may be obtained at the cost of printing and postage from the North Carolina Justice Academy at the following address:

North Carolina Justice Academy
Post Office Drawer 99
Salemberg, North Carolina 28385

1 *1. History Note: Authority G.S. 17E-4; 17E-7;*
2 *Eff. January 1, 2019;*
3 *Amended Eff. January 1, 2020.*
4 *Amended Eff. August 1, 2021*
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