

1 **12 NCAC 09B .0235 is proposed for amendment as follows as published in vol. 29, issue 14, pages 1689-90:**

2
3 **12 NCAC 09B .0235 BASIC TRAINING – JUVENILE COURT COUNSELORS AND CHIEF COURT**
4 **COUNSELORS**

5 (a) The basic training course for Juvenile Court Counselors and Chief Court Counselors shall consist of a minimum of
6 ~~160~~ 154 hours of instruction designed to provide the trainee with the skills and knowledge to perform those tasks
7 essential to function as a Juvenile Court Counselor and a Chief Court Counselor.

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

9 (1) Juvenile Justice Common Core:

10 (A)	Juvenile Justice Overview ; <u>Overview</u>	2 hours
11 (B)	Counseling and Communication Skills ; <u>Basic Individual Counseling Skills</u>	16 hours
12 (C)	Characteristics of Delinquents ; <u>Interpersonal Communication Skills</u>	8 hours
13 (D)	Unlawful Workplace Harassment ; <u>Working with Families</u>	3 hours
14 (E)	Professional Ethics ; <u>Characteristics of Delinquents</u>	3 hours
15 (F)	Staff and Juvenile Relationships ; <u>Unlawful Workplace Harassment</u>	2 hours
16 (G)	Gang Awareness ; <u>Career Survival: Integrity and Ethics in the North Carolina</u> <u>Department of Public Safety Workplace</u>	2 hours
17 (H)	Situational Awareness and Risk Assessment ; <u>Staff and Juvenile Relationships</u>	4 hours
18 (I)	Restraints, Controls and Defensive Techniques ; <u>Gang Awareness</u>	4 hours
19 (J)	Secure Transportation ; <u>Situational Awareness and Risk Assessment</u>	4 hours
20 (K)	Mental Health ; and <u>Restraints, Controls and Defensive Techniques</u>	28 hours
21 (L)	Basic Life Support: CPR and First Aid ; and <u>Mechanical Restraints</u>	4 hours
22 (M)	Secure Transportation	4 hours
23 (N)	Mental Health	8 hours
24 (O)	CPR	4 hours
25 (P)	First Aid	4 hours
26 (Q)	Employee Fitness and Wellness	4 hours
27	<u>Total Hours</u>	<u>104 hours</u>
28		
29 (2)	Juvenile Court Counselor Specific:	
30 (A)	Roles and Responsibilities ; <u>Responsibilities</u>	8 hours
31 (B)	Juvenile Law ; <u>Law</u>	8 hours
32 (C)	Intake ; <u>Intake</u>	8 hours
33 (D)	Risk and Needs Assessment ; <u>Assessment</u>	4 hours
34 (E)	Report Writing and Documentation ; <u>Documentation</u>	12 hours
35 (F)	Interviewing ; and <u>Interviewing</u>	6 hours
36 (G)	Driver Safety ; <u>Safety</u>	4 hours
37	<u>Total Hours</u>	<u>50 hours</u>
38	<u>Total Course Hours</u>	<u>154 hours</u>

39 (c) The "Juvenile Court Counselor Basic Training Manual" as published by the North Carolina Department of Public
40 Safety shall be applied as the ~~basic~~ curriculum for delivery of Juvenile Court Counselor basic training courses. Copies of
41 this publication may be inspected at or purchased at the cost of printing and postage from the office of the agency:

42 The Office of Staff Development and Training
43 North Carolina Department of Public Safety
44 2211 Schieffelin Road
45 Apex, North Carolina 27502

46 (d) Upon ~~successful~~ completion of a Commission-certified training course for Juvenile Court Counselors and Chief
47 Court Counselors, the Director of the school conducting ~~such the~~ course shall notify the Commission of ~~the satisfactory~~
48 ~~achievement of trainees training completion~~ by submitting a Report of Training Course Completion for each ~~successful~~
49 trainee. ~~The Report of Training Completion Form is located on the agency's website:~~
50 ~~http://www.ncdoj.gov/getattachment/1bf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx.~~

51 (e) Employees of the Division of Adult Correction and Juvenile Justice who have ~~successfully~~ completed the minimum
52 ~~160~~ 152 hour training program accredited by the Commission pursuant to Rule .0236 of this Section after January 1,
53 2013 who transfer from a Juvenile Justice Officer position to a Juvenile Court Counselor position shall be required to
54 ~~successfully~~ complete only the portions of the course identified as specific to the duties and responsibilities of a Juvenile
55 Court Counselor under Subparagraph (b)(2) of this Rule.

1
2 *History Note:* *Authority G.S. 17C-2; 17C-6; 17C-10;*
3 *Temporary Adoption Eff. April 15, 2003;*
4 *Eff. April 1, 2004;*
5 *Amended Eff. August 1, 2015; May 1, 2014.*
6

1 **12 NCAC 09B .0236 is proposed for amendment as publishes in vol. 29, issue 14, pages 1690-91:**

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

4 (a) The basic training course for Juvenile Justice Officers shall consist of a minimum of ~~160~~ 152 hours of instruction
5 designed to provide the trainee with the skills and knowledge to perform those tasks essential to function as a juvenile
6 justice officer.

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

9	(1)	Juvenile Justice Common Core:	
10	(A)	Juvenile Justice Overview ; <u>Overview</u>	2 hours
11	(B)	Counseling and Communication Skills ; <u>Basic Individual Counseling Skills</u>	16 hours
12	(C)	Characteristics of Delinquents ; <u>Interpersonal Communication Skills</u>	8 hours
13	(D)	Unlawful Workplace Harassment ; <u>Working with Families</u>	3 hours
14	(E)	Professional Ethics ; <u>Characteristics of Delinquents</u>	3 hours
15	(F)	Staff and Juvenile Relationships ; <u>Unlawful Workplace Harassment</u>	2 hours
16	(G)	Gang Awareness ; <u>Career Survival: Integrity and Ethics in the North Carolina</u> <u>Department of Public Safety Workplace</u>	2 hours
17	(H)	Situational Awareness and Risk Assessment ; <u>Staff and Juvenile Relationships</u>	4 hours
18	(I)	Restraints, Controls and Defensive Techniques ; <u>Gang Awareness</u>	4 hours
19	(J)	Secure Transportation ; <u>Situational Awareness and Risk Assessment</u>	4 hours
20	(K)	Mental Health ; and <u>Restraints, Controls and Defensive Techniques</u>	28 hours
21	(L)	Basic Life Support: CPR and First Aid ; and <u>Mechanical Restraints</u>	4 hours
22	(M)	<u>Secure Transportation</u>	4 hours
23	(N)	<u>Mental Health</u>	8 hours
24	(O)	<u>CPR</u>	4 hours
25	(P)	<u>First Aid</u>	4 hours
26	(Q)	<u>Employee Fitness and Wellness</u>	4 hours
27		<u>Total Hours</u>	<u>104 hours</u>
28	(2)	Juvenile Justice Officer Specific:	
29	(A)	Treatment Program Operation ; <u>Operations</u>	4 hours
30	(B)	Maintaining Documentation of Activities and Behaviors ; <u>Behaviors</u>	6 hours
31	(C)	Basic Group Leadership Skills ; <u>Skills</u>	8 hours
32	(D)	Crisis Intervention Techniques ; <u>Techniques</u>	8 hours
33	(E)	Effective Behavior Management ; <u>Management</u>	12 hours
34	(F)	Health Services Overview ; and <u>Overview</u>	2 hours
35	(G)	Trauma and Delinquents ; <u>Delinquents</u>	6 hours
36	(H)	<u>Contraband and Search Techniques</u>	2 hours
37		<u>Total Hours</u>	<u>48 hours</u>
38		<u>Total Course Hours</u>	<u>152 hours</u>

39
40 (c) The "Juvenile Justice Officer Basic Training Manual" as published by the North Carolina Department of Public
41 Safety shall be applied as the ~~basic~~ curriculum for delivery of Juvenile Justice Officer basic training courses. Copies of
42 this publication may be inspected at or purchased at the cost of printing and postage from the office of the agency:

43 The Office of Staff Development and Training
44 North Carolina Department of Public Safety
45 2211 Schieffelin Road
46 Apex, North Carolina 27502

47 (d) Upon ~~successful~~ completion of a Commission-certified training course for Juvenile Justice Officers the Director of
48 the school conducting ~~such the~~ course shall notify the Commission of ~~the satisfactory achievement of trainees training~~
49 completion by submitting a Report of Training Course Completion for each ~~successful~~ trainee. The Report of Training
50 Completion Form is located on the agency's website: [http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-](http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx)
51 04070dea6199/F-11-Form_10-2-14.pdf.aspx.

52 (e) Employees of the Division of Adult Correction and Juvenile Justice who have ~~successfully~~ completed the minimum
53 ~~160~~ 154 hour training program accredited by the Commission under Rule .0235 of this Section after January 1, 2013 who
54 transfer from a Juvenile Court Counselor position to a Juvenile Justice Officer position shall be required to ~~successfully~~

1 complete only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Justice
2 Officer pursuant to Subparagraph (b)(2) of this Rule.

3

4 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10;
5 Temporary Adoption Eff. April 15, 2003;
6 Eff. April 1, 2004;
7 Amended Eff. August 1, 2015; May 1, 2014.

8

1 **12 NCAC 09B .0305 is proposed for amendment as published in vol. 29, issue 14, pages 1691-92:**

2
3 **12 NCAC 09B .0305 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR**
4 **CERTIFICATION**

5 (a) An applicant meeting the requirements for Specialized Instructor Certification **as set forth in Rule .0304 of this**
6 **Section** shall be issued a certification to run concurrently with the existing General Instructor Certification, except as
7 set out in Paragraph (d) of this Rule. The applicant **must shall** apply for certification as a Specialized Instructor
8 within 60 days from the date ~~of completion of a specialized instructor course.~~ the applicant achieved a passing score
9 on the state comprehensive exam for the respective Specialized Instructor training course.

10 (b) The requirements for certification as a specialized instructor are determined by the expiration date of the
11 existing General Instructor Certification. The following requirements apply during the initial period of certification:

- 12 (1) where certification for both General Probationary Instructor **as set forth in Rule .0303 of this**
13 **Section** and Specialized Instructor Certification are issued on the same date, the instructor is
14 required to satisfy the teaching requirement for only the general probationary instructor
15 certification. The instructor may satisfy the teaching requirement for the General Probationary
16 Instructor certification by teaching any specialized topic for which certification has been issued;
- 17 (2) when Specialized Instructor Certification is issued during an existing period of General Instructor
18 Certification, either probationary status or ~~full~~ general status, the specialized instructor may satisfy
19 the teaching requirement for the General Certification by teaching the specialized subject for
20 which certification has been issued;
- 21 (3) where Specialized Instructor Certification becomes concurrent with an existing active period of
22 General Instructor Certification, and there are 12 months or more until the certifications'
23 expiration date, the instructor **must shall** teach 12 hours for each specialized topic for which
24 certification has been issued; and
- 25 (4) where Specialized Instructor Certification becomes concurrent with an existing active period of
26 General Instructor Certification, and there are fewer than 12 months until the certification
27 expiration date, the instructor **is shall** not **be** required to teach any hours for the specialized subject.

28 (c) The term of certification as a specialized instructor shall not exceed the 36 month period of ~~full~~ General
29 Instructor Certification. The application for renewal shall contain, in addition to the requirements listed in Rule
30 .0304 of this Section, documentary evidence that the applicant has remained active in the instructional process
31 during the previous three-year period. Such documentary evidence shall include the following:

- 32 (1) proof that the applicant has, within the three-year period preceding application for renewal,
33 instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was
34 granted and that instruction was provided in a Commission-accredited **basic training training,**
35 **Speed Measuring Instrument Operator, SMI Instructor, Instructor Training or Specialized**
36 **Instructor Training** course or ~~a Commission recognized in-service training course.~~ **course,**
37 **pursuant to Rule 09E .0105 of this Chapter.** Acceptable documentary evidence shall include

1 official Commission records submitted by School Directors or In-Service Training Coordinators
2 and written certification from a School Director or In-Service Training Coordinator;

3 (2) proof that the applicant has, within the three-year period preceding application for renewal,
4 attended and ~~successfully~~ completed any instructor updates that have been issued by the
5 Commission. Acceptable documentary evidence shall include official Commission records
6 submitted by School Directors or In-Service Training Coordinators, or copies of certificates of
7 completion issued by the institution which provided the instructor updates; and

8 (A) a favorable written recommendation from a School Director or In-Service Training
9 Coordinator completed on a Commission Renewal of Instructor and Professional Lecturer
10 Certification Form that the instructor ~~successfully~~ taught at least 12 hours in each of the
11 topics for which Specialized Instructor Certification was granted. Such teaching must
12 have occurred in a ~~Commission-certified Commission-accredited basic training training,~~
13 ~~Speed Measuring Instrument Operator, SMI Instructor, Instructor Training or Specialized~~
14 ~~Instructor Training~~ ~~course course, pursuant to Rule 09C .0401 of this Chapter, or a~~
15 ~~Commission-recognized an~~ in-service training ~~course course, pursuant to Rule 09E .0105~~
16 ~~of this Chapter,~~ during the three-year period of Specialized Instructor Certification; or

17 (B) a favorable evaluation by a Commission or staff member, based on an on-site classroom
18 evaluation of a presentation by the instructor in a Commission-certified training course or
19 a Commission-recognized in-service training course, during the three-year period of
20 Specialized Instructor Certification. Such evaluation shall be certified on a Commission
21 Instructor Evaluation ~~Form.~~ ~~Form,~~ located on the agency's website:
22 <http://www.ncdoj.gov/getdoc/c2eba6aa-12bc-4303-bf4b-5fa0431ef5a1/F-16-6-11.aspx>.

23 (3) proof that the individual applying for renewal as a Specialized Firearms Instructor has achieved a
24 minimum score of 92 on the day and night Basic Law Enforcement Training firearms qualification
25 courses, administered by a certified Specialized Firearms Instructor, within the three-year period
26 preceding the application for renewal.

27 (4) proof that the individual applying for renewal as a Specialized Physical Fitness Instructor has
28 passed the Basic Law Enforcement Training Police Officer Physical Abilities Test, administered
29 by a certified Specialized Physical Fitness Instructor, within the three-year period preceding the
30 application for renewal.

31 Upon the applicant's submission of the required documentation for renewal, the Commission staff shall renew the
32 certification as a Specialized Instructor. Such renewal shall occur at the time of renewal of the General Instructor
33 certification.

34 (d) Certification as a Specialized Instructor in the First Responder, Physical Fitness, Explosive and Hazardous
35 Materials, and Juvenile Justice Medical Emergencies ~~topical topic~~ areas as outlined in Rule .0304(d)(1), (g)(2),
36 (i)(1), and (j)(1) of this Section, specifically those certifications not based upon General Instructor Certification,
37 shall remain in effect for 36 months from the date of issuance. During the 36 month term all non-Commission

1 certificates required in Rule .0304(d)(1), (g)(2), (i)(1), and (j)(1) for Specialized Instructor certification in the First
2 Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topical
3 areas **must shall** be maintained.

4 (e) All instructors shall remain active during their period of certification. Any Specialized Instructor training
5 courses previously accepted by the Commission for purposes of certification shall no longer be recognized if the
6 instructor does not teach at least 12 hours in each of the specialized topics during the three-year period for which
7 certification was granted. Upon application for re-certification, such applicants shall meet the requirements of Rule
8 .0304 of this Section.

9 (f) The use of guest participants in a delivery of the "Basic Law Enforcement Training Course" **is shall be**
10 permissible. However, such guest participants are subject to the **direct** on-site supervision of a Commission-certified
11 instructor and **must shall** be authorized by the School Director. A guest participant shall be used only to
12 complement the primary certified instructor of the block of instruction and shall in no way replace the primary
13 instructor.

14

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

16 *Eff. January 1, 1981;*

17 *Amended Eff. August 1, 2015; May 1, 2014; June 1, 2012; November 1, 2007; January 1, 2006;*

18 *December 1, 2004; August 1, 2004; August 1, 2000; July 1, 1991; July 1, 1989; December 1,*

19 *1987; February 1, 1987.*

20

1 **SECTION .0400 - MINIMUM STANDARDS FOR COMPLETION OF TRAINING**

2 12 NCAC 09B .0401 is proposed for amendment as published in vol. 29, issue 11, page 1305:

3

4 **12 NCAC 09B .0401 TIME REQUIREMENT FOR COMPLETION OF TRAINING**

5 (a) Each criminal justice officer, with the exception of law enforcement officers, holding probationary certification
6 shall complete, with passing scores, a Commission-accredited basic training course **as prescribed in Rules .0235,**
7 **.0236, and .0412 of this Subchapter** that includes training in the skills and knowledge necessary to perform the
8 duties of **his or her** office. The officer shall complete the course within one year from the date of his original
9 appointment, as determined by the date of the probationary certification.

10 (b) Each law enforcement ~~officer, except wildlife enforcement officers,~~ **officer** shall have completed with passing
11 scores the accredited basic training course as prescribed in Rule .0205 of this Subchapter prior to obtaining
12 probationary certification.

13 ~~(c) Each wildlife enforcement officer shall have satisfactorily completed in its entirety the Basic Training —~~
14 ~~Wildlife Enforcement Officers' course stipulated in 12 NCAC 09B .0228(b) prior to obtaining probationary~~
15 ~~certification.~~

16 (c) If a trainee completes the basic training course **as prescribed in Rule .0205 of this Subchapter** prior to being
17 employed as a law enforcement officer, the trainee shall be duly appointed and sworn as a law enforcement officer
18 within one year of successfully passing the comprehensive written exam as specified in Rule .0406 of this **Section**
19 **Subchapter** for that basic training course to be recognized under these Rules.

20 ~~(d)~~ (d) If local confinement supervisory and administrative personnel complete basic training prior to being
21 employed by a facility in a supervisory and administrative position that requires ~~certification,~~ **certification as**
22 **prescribed in G.S. 153A-217 and G.S. 153A-218,** the personnel shall be duly appointed to a local confinement
23 facility supervisory and administrative position within one year of the completion of training for the basic training
24 course specified in 12 NCAC 09B .0205. This one year period shall begin with the date the applicant achieves a
25 passing score on the comprehensive written exam, as specified in Rule .0411 of this ~~Section.~~ **Subchapter.**

26

27 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*

28 *Eff. January 1, 1981;*

29 *Amended Eff. August 1, 2015; January 1, 2015; January 1, 1995; March 1, 1992; July 1, 1989;*

30 *June 1, 1986.*

31

1 **12 NCAC 09C .0303 is proposed for amendment as published in vol. 29, issue 11, page 1305:**

2 **12 NCAC 09C .0303 PROBATIONARY CERTIFICATION**

3 (a) Before a prospective criminal justice officer may be administered the oath of office, exercise the power of arrest, or
4 commence active service as an officer, the employing agency shall have in its possession the person's Probationary
5 Certification.

6 (b) The Commission shall certify as a probationary officer a person meeting the minimum standards for criminal justice
7 ~~employment~~ employment, as specified in Rule .0101 of this Subchapter when the person's employing agency submits a
8 ~~completed~~ Report of Appointment to the Standards Division. **The Report of Appointment Form is located on the agency's**
9 **website: [http://www.ncdoj.gov/getdoc/64d263a3-a598-4c45-9541-04ef088cf288/F-5A-\(DJJDP\)--6-11.aspx](http://www.ncdoj.gov/getdoc/64d263a3-a598-4c45-9541-04ef088cf288/F-5A-(DJJDP)--6-11.aspx). The process for**
10 **issuing probationary certification is as follows:**

11 (1) The Standards Division shall issue the person's Probationary Certification to the employing agency.

12 (2) If an oath is required, the official administering an oath of office to the person shall be presented the
13 person's Probationary Certification prior to the swearing. The administering official shall sign and date the
14 oath on the Probationary Certification. The employing agency shall return a copy of the signed
15 Probationary Certification to the Standards Division within 10 days of the administration of the officer's
16 oath.

17 (3) If no oath is required, the officer's department head shall endorse the Probationary Certification and enter
18 the date on which the officer's service commenced, returning a copy of the certification to the Standards
19 Division within 10 days of the commencement of the officer's service.

20 (c) The officer's Probationary Certification shall remain valid for one year from the date the certification is issued by the
21 Standards Division unless sooner terminated **by his or her agency** for cause.

22 (d) Before a prospective law enforcement ~~officer, except wildlife enforcement officers,~~ **officer can** ~~may~~ be issued a
23 Probationary Certification, the prospective officer ~~must~~ **shall** have **successfully** completed the required basic training course
24 stipulated in 12 NCAC 9B .0205(b).

25 ~~(e) Before a prospective wildlife enforcement officer can be issued a Probationary Certification, the prospective officer must~~
26 ~~have successfully completed the required basic training course stipulated in 12 NCAC 9B .0228(b).~~

27 ~~(f)~~(e) An applicant for certification who holds a valid Probationary Certification issued by the North Carolina Sheriffs'
28 Education and Training Standards Commission shall be certified as a probationary law enforcement officer as specified under
29 Paragraphs (b), (c) and (d) of this Rule.

30 ~~(g)~~(f) Where the local governing authority ~~lawfully~~ declares the existence of a public **emergency, emergency pursuant to G.S.**
31 **166A-19.22**, the department head of the criminal justice agency of the jurisdiction may swear persons as law enforcement
32 officers without first obtaining Probationary Certification for those officers. The employing agency shall obtain Probationary
33 Certification for such emergency officers not more than 20 days after the administration of their oath of office.

34
35 *History Note: Authority G.S. 17C-6; 17C-10;*

36 *Eff. January 1, 1981;*

37 *Amended Eff. August 1, 2015; November 1, 1993; March 1, 1992; July 1, 1989; October 1, 1985.*