

1 **12 NCAC 09B .0236 is amended as published in Vol. 30, Issue 14, pages 1500-1501:**

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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 152 hours of instruction
5 designed to provide the trainee with the skills and knowledge to perform those tasks essential to function as a
6 juvenile justice officer.

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

9 (1) Juvenile Justice Common Core:

10	(A)	Juvenile Justice Overview	2 hours
11	(B)	Basic Individual Counseling Skills	468 hours
12	(C)	Interpersonal Communication Skills	8 hours
13	(D)	Working with Families	3 hours
14	(E)	Characteristics of Delinquents	34 hours
15	(F)	Unlawful Workplace Harassment	2 hours
16	(G)	Career Survival: Integrity and Ethics in the North Carolina Department of Public Safety Workplace	2 hours
17	(H)	Staff and Juvenile Relationships	4 hours
18	(I)	Gang Awareness	4 hours
19	(J)	Situational Awareness and Risk Assessment	4 hours
20	(K)	Restraints, Controls and Defensive Techniques	28 hours
21	(L)	Mechanical Restraints	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	(R)	Multi-Generational Workforce	3 hours
28	(S)	Understanding Workplace Differences	4 hours
29		Total Hours	104 hours

30 (2) Juvenile Justice Officer Specific:

31	(A)	Treatment Program Operations	4 hours
32	(B)	Maintaining Documentation of Activities and Behaviors	6 hours
33	(C)	Basic Group Leadership Skills	8 hours
34	(D)	Crisis Intervention Techniques	8 hours
35	(E)	Effective Behavior Management	12 hours
36	(F)	Health Services Overview	2 hours

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1 **12 NCAC 09B .0305 is amended as published in Vol. 30, Issue 14, pages 1501-1502:**

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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 shall apply for certification as a Specialized Instructor within 60
8 days from the date the applicant achieved a passing score on the state comprehensive exam for the respective
9 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 general status, the specialized instructor may satisfy the
19 teaching requirement for the General Certification by teaching the specialized subject for which
20 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 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 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, Speed~~
35 ~~Measuring Instrument Operator, SMI Instructor, Instructor Training~~ training or Specialized
36 Instructor Training course or in-service training course, pursuant to 12 NCAC 09E .0105.
37 Acceptable documentary evidence shall include official Commission records submitted by School

1 Directors or In-Service Training Coordinators and written certification from a School Director or
2 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 that~~ 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 The~~ teaching
12 must have occurred in a Commission-accredited basic ~~training, Speed Measuring~~
13 ~~Instrument Operator, SMI Instructor, Instructor Training~~ training or Specialized
14 Instructor Training ~~course~~ course, pursuant to 12 NCAC 09C .0401, or an in-service
15 training course, pursuant to 12 NCAC 09E .0105 , during the three-year period of
16 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 The~~ evaluation shall be certified on a
21 Commission Instructor Evaluation 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 The~~ renewal shall simultaneously renew occur at the time of renewal
33 of the General Instructor certification. certification for a concurrent three year period.

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

1 in Rule .0304(d)(1), (g)(2), (i)(1), and (j)(1) for Specialized Instructor certification in the First Responder, Physical
2 Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topical areas shall be
3 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 the~~ applicants shall meet the requirements of
8 Rule .0304 of this Section.

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

13

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

15 *Eff. January 1, 1981;*

16 *Amended Eff. July 1, 2016; August 1, 2015; May 1, 2014; June 1, 2012; November 1, 2007;*

17 *January 1, 2006; December 1, 2004; August 1, 2004; August 1, 2000; July 1, 1991; July 1, 1989;*

18 *December 1, 1987; February 1, 1987.*

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SECTION .0700 – MILITARY TRAINED APPLICANT

12 NCAC 09B .0701 is adopted as published in Vol. 30, Iss. 14, Pages 1502-1503:

12 NCAC 09B .0701 MILITARY TRANSFEREES

(a) Pursuant to G.S. 17C-10.1 a current or honorably-discharged former military police officer seeking certification as a law enforcement officer shall submit to the Standards Division a completed Form F-21, Request for Military Evaluation for BLET, and copies of the individual’s military law enforcement training and personnel records and Certificate of Release or Discharge documentation from Military Service. Form F-21 is located on the agency’s website: http://www.ncdoj.gov/getdoc/f7c44036-d56a-4c12-90a3-d73a8806493f/F-21_Military-EvalCJ_6-8-15.aspx.

(b) Upon receipt of the documentation prescribed in Paragraph (a) of this Rule, the Standards Division shall evaluate the applicant’s combined training and experience pursuant to G.S. 93B-15.1 to determine if the applicant’s combined training and experience is substantially equivalent to or exceeds the minimum requirements for employment as a law enforcement officer as prescribed in Rules 09B .0101, 09B .0111, and 09B .0403 of this Subchapter.

(c) The Division shall issue probationary certification, pursuant to Rule 09C .0303 of this Chapter, to an applicant who meets the following requirements:

- (1) has completed a formal military basic training program and been awarded a military police occupational specialty rating;
- (2) has performed military police officer duties in any of the branches of military service, active or reserve, or the National Guard for not less than two of the five years preceding the date of application for certification as a law enforcement officer; and
- (3) whose combined training and experience is determined to be substantially equivalent to or exceeds the minimum expectations for employment as a law enforcement officer as prescribed in Rules 09B .0101, 09B .0111, and 09B .0403(2) of this Subchapter.

(d) An applicant certified pursuant to Paragraph (c) of this Rule shall complete, within one year of being issued certification, the following with passing scores: scores pursuant to Rule 09B .0405(b) of this Subchapter:

- (1) the following ~~Basic Law Enforcement Training~~ Basic Law Enforcement Training topics ~~of a Commission accredited Basic law Enforcement Training course as specified in~~ pursuant to Rule 09B .0205(b)(1), and (b)(6)(A) .0205 of this Subchapter: Subchapter; and

(A)	Arrest, Search and Seizure/Constitutional Law	28 Hours
(B)	Elements of Criminal law	24 Hours
(C)	Juvenile Laws and Procedures	8 Hours
(D)	ABC Laws and Procedures	4 Hours
(E)	Motor Vehicle Laws	20 Hours
(F)	Preparing for Court and Testifying in Court	12 Hours

1 ~~(G) Civil Process~~ ~~24 Hours~~
 2 ~~Total Hours~~ ~~120 Hours;~~

3 (2) the Basic Law Enforcement Training comprehensive written ~~exam; and~~ exam pursuant to Rule
 4 09B .0406(d) of this Subchapter.

5 ~~[(3) the hiring agency's in-service firearms training and qualification program.]~~

6 (e) An applicant certified pursuant to Paragraph (c) of this Rule shall complete the in-service Firearms Training and
 7 Qualification course pursuant to 12 NCAC 09E .0106 prior to beginning employment with the hiring agency.

8 ~~(e)(f)~~ The Division shall issue certification to a current or honorably discharged military police officer whose
 9 combined training and experience is not substantially equivalent to or does not exceed the minimum requirements
 10 for employment as a law enforcement officer, as specified in Rule 09B .0403 of this Subchapter, if the applicant
 11 meets the following requirements:

- 12 (1) completed a formal military basic training program and been awarded a military police
 13 occupational specialty rating;
- 14 (2) performed military police officer duties in any of the branches of military service, active or
 15 reserve, or the National Guard for not less than two of the five years preceding the date of
 16 application for certification as a law enforcement officer;
- 17 (3) meets the minimum standards for law enforcement officers as prescribed in Rule 09B .0101 and
 18 Rule 09b .0111 of this Subchapter;
- 19 (4) completes with passing scores pursuant to Rule 09B .0405(b) of this Subchapter the following
 20 Basic Law Enforcement Training topics included in pursuant to Rule 09B .0205(b)(1), (b)(2)(F),
 21 (b)(3)(B), (b)(3)(D), (b)(4)(F), (b)(5)(B), (b)(5)(C), (b)(5)(G), (b)(6)(A), and (b)(7) .0205 of this
 22 Subchapter; and

- 23 (A) ~~Orientation~~ ~~2 Hours~~
- 24 (B) ~~Arrest, Search and Seizure/Constitutional Law~~ ~~28 Hours~~
- 25 (C) ~~Elements of Criminal law~~ ~~24 Hours~~
- 26 (D) ~~Subject Control and Arrest Techniques~~ ~~40 Hours~~
- 27 (E) ~~Juvenile Laws and Procedures~~ ~~8 Hours~~
- 28 (F) ~~Firearms~~ ~~48 Hours~~
- 29 (G) ~~ABC Laws and Procedures~~ ~~4 Hours~~
- 30 (H) ~~Motor Vehiele Laws~~ ~~20 Hours~~
- 31 (I) ~~Law Enforcement Driver Training~~ ~~40 Hours~~
- 32 (J) ~~Domestic Violence Response~~ ~~12 Hours~~
- 33 (K) ~~Individuals with Mental Illness and Developmental Disabilities~~ ~~8 Hours~~
- 34 (L) ~~Preparing for Court and Testifying in Court~~ ~~12 Hours~~
- 35 (M) ~~Patrol Techniques~~ ~~28 Hours~~
- 36 (N) ~~Civil Process~~ ~~24 Hours~~
- 37 (O) ~~Human Trafficking~~ ~~2 Hours~~

1 ~~Total Hours~~ 300 Hours; and

2 (5) achieves a passing score on the Basic Law Enforcement Training comprehensive written
3 ~~examination.~~ examination pursuant to Rule 09B .0406(d) of this Subchapter.

4 ~~(g)~~ (g) The Division shall waive any training topic in Paragraph ~~(e)(4)(f)(4)~~ of this Rule if the applicant provides
5 documentation indicating he or she has completed substantially equivalent combined military training and
6 experience in that topic.

7 ~~(g)~~ (h) Members of the Air/Army National Guard and Military Reserve Components who have performed as a
8 military police officer for not less than 1,040 hours during the five years preceding the date of application for
9 certification shall be deemed to satisfy the requirements of Paragraph (c)(2) and Paragraph ~~(e)(2)(f)(2)~~ of this Rule.

10 ~~(h)~~ (i) An applicant who, after completing the required training in Paragraph (d)(1) or ~~(e)(4)(f)(4)~~ of this Rule, fails
11 to achieve a passing score on the Basic Law Enforcement Training comprehensive written exam may be retested in
12 the units the applicant failed. An applicant who fails three or more units must enroll in and complete with passing
13 scores a subsequent delivery of the Basic Law Enforcement Training course in its entirety in order to be eligible for
14 certification.

15 ~~(i)~~ (j) An active duty military police officer who obtains certification while on active duty under this Rule may retain
16 the certification for the duration of active duty provided the officer continues to perform military police officer
17 duties and complies with the in-service training requirements, as specified in Rule 09E .0105 of this Chapter. An
18 active duty military police officer who is unable to complete annual in-service requirements due to deployment or
19 overseas assignment shall have 12 months from the time the officer returns to the United States in which to complete
20 the in-service training requirements, as specified in Rule 09E .0105 of this Chapter for each year he or she was
21 unable to complete due to overseas assignment. The officer shall retain the certification for a period of one year
22 following separation from active duty.

23 ~~(j)~~ (k) When completing the required training topics specified in Paragraph (d)(1) or Paragraph ~~(e)(4)(f)(4)~~ of this
24 Rule, the individual shall meet all requirements specified in Rule 9B .0203 and Rule 9B .0405 of this Subchapter.

25
26 *Authority G.S. 17C-2; 17C-6; 17C-10; 93B-15.1*

27 *Eff. July 1, 2016*

1 **12 NCAC 09E .0104 is amended as published in Vol. 30, Iss. 14, Pages 1503-1504:**

2
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 enforcement
5 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:
- 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; or
- 11 (C) delivering Incident Command System training for NIMS (National Incident Management
12 System) compliance who are certified through FEMA (Federal Emergency Management
13 Agency) as Incident Command Instructors.

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

- 20 (2) Instructors who teach a required in-service training ~~topic~~ topic, other than a topic taught pursuant to
21 Paragraph (1) of this Rule, or a Firearms Training and Qualification course pursuant to Rule 9E
22 .0105(a)(1) of this Subchapter, must shall achieve a passing grade on a topic specific test developed by
23 the North Carolina Justice Academy or by the agency delivering the training. Instructors who teach a
24 required in-service training topic online must shall also complete the in-service training for the topic
25 he or she will be teaching. Instructors who teach an in-service training topic in a traditional classroom
26 format will receive credit toward their own in-service training requirements, provided that they pass all
27 required tests and have their instruction documented by the Department Head or In-Service Training
28 Coordinator once completed.
- 29 (3) The instructor shall deliver the training consistent with the specifications established in Rules 09E
30 .0105 and .0106.
- 31 (4) The instructor shall report the successful or unsuccessful completion of training for each officer to the
32 Department Head. Such reporting shall be on a Commission form.
- 33 (5) When the officer fails to qualify with a weapon, the instructor shall inform the officer that the officer
34 did not qualify and the instructor shall deliver a Commission form F-9A (Firearms Qualification and
35 Record) to the officer which that shall be signed by the officer. This form shall instruct the officer not
36 to use the weapon and shall require the officer to notify the Department Head or designated
37 representative within 24 hours of the failure to qualify. The instructor shall personally deliver this form

1 or send the form by certified mail to the Department head or designated representative within 72 hours
2 of the failure to qualify.

3 All Commission forms are available for download on the Criminal Justice Standards Division website:
4 [http://ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-Standards/Criminal-Justice-Education-and-Training-
Standards/Forms-and-Publications.aspx](http://ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-Standards/Criminal-Justice-Education-and-Training-
5 Standards/Forms-and-Publications.aspx).

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7 *History Note: Authority G.S. 17C-6; 17C-10;*
8 *Eff. July 1, 1989;*
9 *Amended Eff. July 1, 2016; May 1, 2014; February 1, 2013; April 1, 2008; January 1, 2006; January*
10 *1, 2005.*

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1 **12 NCAC 09E .0105 is amended as published in Vol. 30, Iss. 14, Pages: 1504-1505**

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3 **12 NCAC 09E .0105 MINIMUM TRAINING SPECIFICATIONS: ANNUAL IN-SERVICE TRAINING**

4 (a) The following ~~topical areas and specifications~~ are established as topics, specifications, and hours to be included
5 in each law enforcement officer's annual in-service training courses. For the purposes of this Subchapter, a credit
6 shall be equal to one hour of traditional classroom instruction. These specifications shall be incorporated in each
7 law enforcement agency's annual in-service training courses:

- 8 (1) 2016 Firearms Training and Qualification (6 credits);
9 (2) 2016 Legal Update (4 credits);
10 (3) 2016 Juvenile Minority Sensitivity Training: The Color of Justice (2 credits);
11 (4) Human Trafficking Awareness (2 credits);
12 (5) North Carolina Firearms Laws: Citizens and Guns (minimum of 2 credits); and
13 (6) 2016 Department Topics of Choice (10 credits). The Department Head may choose any topic,
14 provided the lesson plan is written in Instructional Systems Design format and is taught by an
15 instructor who is certified by the Commission. Topics delivered pursuant to Rule .0104(1) of this
16 Subchapter to satisfy this requirement ~~are~~ shall not be required to be written in Instructional
17 Systems Design format or delivered by an instructor certified by the Commission.

18 (b) The "Specialized Firearms Instructor Training Manual" published by the North Carolina Justice Academy shall
19 be applied as a guide for conducting the annual in-service firearms training program. Copies of this publication may
20 be inspected at the office of the:

21 Criminal Justice Standards Division
22 North Carolina Department of Justice
23 1700 Tryon Park Drive
24 Raleigh, North Carolina 27610

25 and may be obtained at the cost of printing and postage from the Academy at the following address:

26 North Carolina Justice Academy
27 Post Office Drawer 99
28 Salemburg, North Carolina 28385

29 (c) The "In-Service Lesson Plans" published by the North Carolina Justice Academy shall be applied as a minimum
30 curriculum for conducting the annual in-service training program. Copies of this publication may be inspected at the
31 office of the:

32 Criminal Justice Standards Division
33 North Carolina Department of Justice
34 1700 Tryon Park Drive
35 Raleigh, North Carolina 27610

36 and may be obtained at the cost of printing and postage from the Academy at the following address:

37 North Carolina Justice Academy

1 Post Office Drawer 99

2 Salemburg, North Carolina 28385

3 (d) Lesson plans are designed to be delivered in hourly increments. A student who completes an online in-service
4 training topic shall receive the number of credits that correspond to the number of hours of traditional classroom
5 training, regardless of the amount of time the student spends completing the course.

6 (e) Completion of training shall be demonstrated by passing a written test for each in-service training topic, as
7 follows:

8 (1) A written test comprised of at least five questions per credit shall be developed by the agency or
9 the North Carolina Justice Academy for each in-service training topic requiring testing. Written
10 courses that are more than four credits in length are required to have a written test comprising of a
11 minimum of 20 questions. The Firearms Training and Qualifications in-service course and topics
12 delivered pursuant to Rule .0104(1) of this Subchapter is ~~are~~ shall be exempt from this written
13 test requirement;

14 (2) A student shall pass each test by achieving 70 percent correct answers; and

15 (3) A student who completes a topic of in-service training in a traditional classroom setting or online
16 and fails the end of topic exam shall be given one attempt to re-test. If the student fails the exam a
17 second time, the student shall complete the in-service training topic in a traditional classroom
18 setting before taking the exam a third time.

19
20 *History Note: Authority G.S. 17C-6; 17C-10;*

21 *Eff. July 1, 1989;*

22 *Amended Eff. January 1, 2005; November 1, 1998;*

23 *Temporary Amendment Eff. January 1, 2005;*

24 *Amended Eff. July 1, 2016; January 1, 2016; January 1, 2015; February 1, 2014; June 1, 2012;*

25 *February 1, 2011; January 1, 2010; April 1, 2009; April 1, 2008; February 1, 2007; January 1,*
26 *2006.*

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