

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Sheriffs' Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1304

DEADLINE FOR RECEIPT: July 14, 2026

PLEASE NOTE: *This request may extend to 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 email the reviewing attorney to inquire concerning the staff recommendation.

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

On line 16, is the phrase "Grandfather telecommunicator certification" defined somewhere? If this not a defined term, I would avoid introducing it here.

Should Grandfather be capitalized?

I find the phrasing of this awkward and potentially confusing. I'd consider rewriting the opening to something like "Persons employed as a telecommunicator on or prior to March 1, 1998, in accordance with G.S. ..."

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

1 **12 NCAC 10B .1304 is amended as published in 40:20 NCR 1592-1595 as follows:**
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3 **12 NCAC 10B .1304 EVALUATION FOR TRAINING WAIVER**

4 (a) Applicants for certification with prior telecommunicating experience shall have been employed and certified in a
5 telecommunicator position in order to be considered for training evaluation under this Rule.

6 (b) Persons who separated from a telecommunicator position during their probationary certification period after
7 having completed a commission-accredited Telecommunicator Certification Course and who have been separated
8 from a telecommunicator position for one year or less shall serve the remainder of the initial probationary period,
9 but need not complete an additional training program.

10 (c) Persons who separated from a telecommunicator position during their probationary certification period without
11 having completed a commission-accredited Telecommunicator Certification Course, or whose certification was
12 suspended pursuant to 12 NCAC 10B .0204(b)(1), and who have remained separated or suspended for over one year
13 shall complete a commission-accredited Telecommunicator Certification Course in its entirety and pass the State
14 Comprehensive Examination, and shall be allowed a 12 month probationary period as prescribed in 12 NCAC 10B
15 .1303(a).

16 (d) Persons previously holding Grandfather telecommunicator certification in accordance with G.S. 17E-7(c1) who
17 have been separated from a telecommunicator position for more than one year shall be required to complete a
18 commission-accredited Telecommunicator Certification Course in its entirety and pass the State Comprehensive
19 Examination within the 12 month probationary certification period as prescribed in 12 NCAC 10B .1303(a).

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21 *History Note: Authority G.S. 17E-4; 17E-7;*

22 *Temporary Adoption Eff. March 1, 1998;*

23 *Eff. August 1, 1998;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
25 *~~2018~~;*

26 *Amended Eff. August 1, 2026-*
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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Sheriffs' Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1305

DEADLINE FOR RECEIPT: July 14, 2026

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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 email the reviewing attorney to inquire concerning the staff recommendation.

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

On lines 14 and 15, rephrase for grammar "A trainee is not eligible for ~~administration of~~ to take the State Comprehensive Examination ~~nor certification or~~ to be certified for successful course completion..."

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

1 12 NCAC 10B .1305 is amended as published in 40:20 NCR 1592-1595 as follows:
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3 12 NCAC 10B .1305 TRAINEE ATTENDANCE

4 (a) Each trainee enrolled in a certified "Telecommunicator Certification Course" shall attend all class sessions. ~~The~~
5 ~~sheriff or agency head is responsible for the trainee's regular attendance at all sessions of the telecommunicator~~
6 ~~training course.~~

7 (b) The school director may recognize valid reasons for class absences and may excuse a trainee from attendance at
8 specific class sessions. However, excused absences shall not exceed ten percent of the total class hours for the
9 course offering, except where the absence is due to religious observance as provided for in the community college
10 policy, in which case the absence excused may be for an additional 11.3 hours.

11 (c) If the school director grants an excused absence from a class session, he or she shall schedule an appropriate
12 make-up ~~work~~ and ensure the satisfactory completion of ~~such work~~ the classwork missed during the current course
13 presentation or in a subsequent course delivery as is permissible under 12 NCAC 10B .1306.

14 (d) A trainee is not eligible for administration of the State Comprehensive Examination nor certification for
15 successful course completion if the cumulative total of class absences, with accepted make-up work, exceeds the
16 amount of time allowed in Paragraph (b) of this Rule, ~~and~~ The trainee shall be terminated from further course
17 participation by the school director at the time ~~of such occurrence.~~ the trainee becomes ineligible pursuant to
18 Paragraph (b) if this Rule.

19 ~~(e) The school director may terminate a trainee from course participation or may deny certification of successful~~
20 ~~course completion where the trainee is habitually tardy to or regularly departs early from class meetings or field~~
21 ~~exercises.~~

22 ~~(f) Where a trainee is enrolled in a program as required in this Section, attendance shall be 100 percent in order to~~
23 ~~receive a successful course completion.~~

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25 *History Note: Authority G.S. 17E-4; 17E-7;*

26 *Eff. April 1, 2001;*

27 *Amended Eff. August 1, 2011;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
29 *2018-;*

30 *Amended Eff. August 1, 2026.*
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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Sheriffs' Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1306

DEADLINE FOR RECEIPT: July 14, 2026

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

On p. 2, line 12, paragraph (d), what does it mean for a trainee to be "deficient" in a "subject-matter or topical area"?

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

12 NCAC 10B .1306 is amended as published in 40:20 NCR 1592-1595 as follows:

12 NCAC 10B .1306 COMPLETION OF TELECOMMUNICATOR CERTIFICATION COURSE

(a) ~~Each delivery of a commission approved "Telecommunicator Certification Course" is considered to be a unit as set forth in this Section.~~ Each trainee shall attend and satisfactorily complete ~~a full course~~ an entire "Telecommunicator Certification Course" during a scheduled delivery. The school director may develop supplemental rules as set forth in 12 NCAC 10B .0709(a)(7), but may not add substantive courses, or change or expand the substance of the courses set forth in 12 NCAC 10B .1301. This Rule does not prevent the instruction on local agency rules or standards but such instruction shall not be considered or endorsed by the Commission for purposes of certification. The Director may issue prior written authorization for a specified trainee's limited enrollment in a subsequent delivery of the same course where the school director provides evidence that:

- (1) the trainee attended and satisfactorily completed specified class hours and topics of the "Telecommunicator Certification Course" but through extended absence occasioned by illness, accident, or emergency was absent for more than 10 percent of the total class hours of the course offering; or
- (2) the trainee was granted excused absences by the school director that did not exceed 10 percent of the total class hours for the course offering and the school director could not schedule appropriate make-up work during the current course offering as specified in 12 NCAC 10B .1305(c) due to valid reasons; or
- (3) the trainee participated in an offering of the "Telecommunicator Certification Course" but had an identified deficiency in essential knowledge or skill in either one or two, but no more than two, of the specified topic areas incorporated in the course content as prescribed under 12 NCAC 10B .1302(b).

(b) An authorization of limited enrollment in a subsequent course delivery may not be used by the Director unless in addition to the evidence required by Paragraph (a) of this Rule:

- (1) the trainee submits a written request to the Director, justifying the limited enrollment and certifying that the trainee's participation shall be accomplished pursuant to Paragraph (c) of this Rule; and
- (2) the school director of the previous school offering submits to the director a certification of the particular topics and class hours attended and satisfactorily completed by the trainee during the original enrollment.

(c) An authorization of limited enrollment in a subsequent course delivery permits the trainee to attend an offering of the "Telecommunicator Certification Course" commencing within 120 calendar days from the last date of trainee participation in prior course delivery, but only if the trainee's enrollment with active course participation can be accomplished within the period of the trainee's probationary certification:

- 1 (1) the trainee need only attend and satisfactorily complete those portions of the course which were
2 missed or identified by the school director as areas of trainee deficiency in the proper course
3 participation;
4 (2) following proper enrollment in the subsequent course offering, scheduled class attendance and
5 active participation with satisfactory achievement in the course, the trainee would be eligible for
6 administration of the State Comprehensive Examination by the Commission and possible
7 certification of successful course completion; and
8 (3) a trainee shall be enrolled as a limited enrollee in only one subsequent course offering within the
9 120 calendar days from the last date of trainee participation in prior course delivery. A trainee who
10 fails to complete those limited portions of the course after one retest shall enroll in an entire
11 delivery of the Telecommunicator Certification Course.
12 (d) A trainee who is deficient in three or more subject-matter or topical areas at the conclusion of the course
13 delivery shall complete a subsequent program in its entirety.
14

15 *History Note: Authority G.S. 17E-4; 17E-7;*

16 *Eff. April 1, 2001;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
18 *~~2018.~~*

19 *Amended Eff. August 1, 2026.*
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