

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .0403

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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:

Are the "contents or substantive requirements" of the forms in lines 6 and 7 prescribed by rule or statute, as required by G.S. 150B-2(8a)d.? If so, where?

On line 29, I think you mean "authorized".

On p. 2 line 4, I'm not sure what "or a convicted of a felony" means in this context.

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

12 NCAC 10B .0403 is proposed for amendment as published in 40:04 NCR 433 as follows:

12 NCAC 10B .0403 PROBATIONARY CERTIFICATION REQUIREMENT

(a) For certification as a deputy sheriff, ~~the applicant must successfully complete Basic Law Enforcement Training as described in 12 NCAC 10B .0502 and 12 NCAC 09B .0205, and~~ sheriff or detention officer, a Report of Appointment (Form F-4) ~~must~~ shall be submitted to the Division. For certification as a telecommunicator, a Report of Appointment (Form F-4T) shall be submitted to the Division.

~~(b) For certification as a detention officer, a Report of Appointment (Form F-4) must [shall] be submitted to the Division.~~

~~(c) For certification as a telecommunication officer, a Report of Appointment (Form F-4T) must [shall] be submitted to the Division.~~

~~(d)~~(b) Report of Appointment forms ~~must~~ shall be submitted to the Division by the employing agency no later than 10 days after the deputy sheriff has taken the Oath of Office, or the detention officer or the telecommunicator has been appointed.

~~(e)~~(c) The Division shall forward the justice officer's certification to the ~~appointing~~ employing agency.

(f)(d) No deputy sheriff or detention officer probationary certification shall be issued by the Division prior to the applicant meeting the conditions set forth in this Paragraph. As an additional requirement for probationary certification, the applicant shall meet the following requirements:

(1) If the applicant for probationary certification is authorized by the sheriff to carry a firearm pursuant to the provisions of ~~12 NCAC 10B .2104, Rule .2104 of this Subchapter,~~ the employing agency shall submit evidence of satisfactory completion of the employing agency's in-service firearms training and ~~requalification~~ qualification program pursuant to ~~12 NCAC 10B .2000 and .2100, Section .2100 of this Subchapter;~~ or

(2) If the applicant for probationary certification is not authorized by the sheriff to carry a firearm pursuant to the provisions of ~~12 NCAC 10B .2104, Rule .2104 of this Subchapter,~~ the employing agency shall notify the Division, in writing, that the applicant is not authorized by the sheriff to carry a firearm.

(e) After documentation has been submitted to the Division pursuant to Paragraph (a) of this rule, a deputy sheriff who has not completed Basic Law Enforcement Training is only authorize to exercise the powers of a deputy sheriff when such action is:

(1) While accompanied by and under the direct supervision of the sheriff or designee; or

(2) While accompanied by and under the direct supervision of another deputy sheriff or law enforcement officer who has successfully completed Basic Law Enforcement Training; or

(3) Necessary to:

(i) Defend themselves or another from what the deputy sheriff believes to be imminent use of deadly force; or

(ii) Prevent serious bodily harm to themselves or another; or

(iii) Prevent the escape from custody a person the deputy sheriff believe is attempting to escape by means of a deadly weapon, or who by this conduct or any other means indicates an imminent threat of death or serious physical injury to injury to others unless apprehended without delay; or a convicted of a felony; or

(4) Taken when the deputy sheriff has probable cause to believe in their presence:

(i) a felony; or

(ii) a breach of the peace; or

(iii) a crime involving physical injury to another person; or

(iv) a crime involving theft or destruction of property is being committed.

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

Eff. January 1, 1989;

Amended Eff. February 1, 1998, January 1, 1996; January 1, 1994; January 1, 1991;

Temporary Amendment Eff. March 1, 1998;

Amended Eff. August 1, 1998;

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

Amended Eff. December 1, 2025

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .0412

DEADLINE FOR RECEIPT: Friday, November 14, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

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

On line 15, you require use of "the database", but don't explain what that is until paragraph (d). This is potentially confusing. Either switch the order of the paragraphs so paragraph d comes first, or add something like "in the database described in paragraph (d)" on line 15.

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

Seth Ascher
Commission Counsel
Date submitted to agency: November 6, 2025

12 NCAC 10B .0412 is proposed for adoption as published in 40:03 NCR 277 as follows:

12 NCAC 10B .0412 DEPARTMENT HEAD RESPONSIBILITIES: CRITICAL INCIDENT REPORTING

(a) For all law enforcement agencies in the State that employ personnel certified by the North Criminal Sheriffs' Education and Training Standards Commission, the Department Head shall submit the Critical Incident Report, Form F-27, to the Sheriff's Standards Division no later than 30 days after making the determination that an incident involving any use of force by a law enforcement officer that resulted in death or serious bodily injury to a person has occurred. The Critical Incident Report (F-27) shall contain the following:

(1) date and time of incident;

(2) location of incident;

(3) officer involved; and

(4) whether the incident involved serious bodily injury or death

(5) notice that the officer has 30 days after receipt to request a hearing in superior court for a determination of whether the officer's involvement was properly placed in the database and that if a copy of that filing is not provided to the Division within the 30 days, the officer's name will be placed in the database.

(b) Information contained in the submitted Critical Incident Report, (F-27), that is confidential under state or federal law shall remain confidential.

(d) The Division shall develop and maintain a statewide database for use by law enforcement agencies that tracks all critical incident data in North Carolina that is reported to the Division.

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

Adoption Eff. December 1, 2025

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1002

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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

The list on lines 7 through 20 doesn't work with an "and" on line 18. As I read it, 1 and 3 are mutually exclusive, and item 2 is required for both. This needs to be reworked. One option would be to move item 2 into the main text of (a). I.e. on lines 5 and 6 "a sheriff or deputy sheriff shall first meet the following preliminary qualifications: and maintain the requirements of certification pursuant to Rule .0301 and Section .0500 of this subchapter; and." with an or at the end of item 1, item 2 deleted, and item 3 changed to item 2.

On p2., line 4 what determines if the experience is "acceptable for consideration"?

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

12 NCAC 10B .1002 is proposed for amendment as published in 40:03 NCR 277-278 as follows:
as follows:

12 NCAC 10B .1002 ~~GENERAL PROVISIONS~~ ELIGIBILITY FOR PROFESSIONAL CERTIFICATES

(a) In order to be eligible for one or more of the professional ~~awards, certificates,~~ a sheriff or deputy sheriff shall first meet the following preliminary qualifications:

- (1) be an elected or appointed sheriff or be a deputy sheriff who holds valid ~~General~~ general or ~~Grandfather Certification.~~ grandfather certification as defined in G.S. 17E-7(a). A deputy sheriff serving under a probationary certification is not eligible for consideration. Any justice officer subject to suspension or revocation ~~proceedings~~ proceedings, ~~or~~ under investigation for possible decertification ~~action~~ action, ~~by the Commission or the North Carolina Criminal Justice Education and Training Standards Commission~~ under a period of active revocation of their certification, or under probation or suspended sanction, by the Commission or the North Carolina Criminal Justice Education and Training Standards Commission, is not eligible for professional ~~awards~~ certificates for the pendency of the ~~proceeding;~~ proceedings or period of probation, suspension, or revocation;
- (2) ~~be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the International Association of Chiefs of Police; and~~ meet and maintain the requirements of certification pursuant to Rule .0301 and Section .0500 of this Subchapter; and
- (3) if the applicant is a deputy sheriff, the applicant shall be a full-time sworn law enforcement officer of a North Carolina Sheriff's Office, ~~as certified in writing by the sheriff; sheriff;s office. or be a full-time law enforcement officer of an agency who must be sworn by the sheriff in order to perform his duties as certified in writing by the Sheriff.~~

(b) Employees of a North Carolina Sheriff's Office who have previously held general or grandfather law enforcement officer certification but are presently, by virtue of promotion or transfer, serving in non-sworn positions not subject to certification are eligible to participate in the Professional Certificate Program. Eligibility for this exception requires continuous employment with the sheriff's office from the date of promotion or transfer from a sworn, certified position to the date of application for a professional certificate.

(c) Only training or experience gained in an officer's area of expertise as described in Paragraph (d) of this Rule is eligible for application to this program.

(d) Certificates shall be awarded based upon a formula that combines formal education, law enforcement training, and ~~actual~~ experience as in a sworn law enforcement officer, position as defined in Rule .0103(19) of this Subchapter. These professional certificates ~~are appropriate~~ shall be for sworn sheriffs and full-time deputy sheriffs. Points are computed in the following manner:

- (1) each semester hour of college credit shall equal one education point and each quarter hour shall equal two-thirds of an education point. No correspondence or vocational courses shall be credited towards education points unless an accredited institution, as set out in ~~12 NCAC 10B .1004(b), Rule .1004(b) of this Section,~~ credits the course(s) courses towards a degree;

(2) ~~twenty 20 classroom~~ hours of ~~commission-approved~~ law enforcement training shall equal one training point; and

(3) experience as a sworn law enforcement officer as defined in Rule .0103(19) of this Subchapter is acceptable for consideration.

(e) In addition to the qualifications set forth in Paragraphs (a), (b), (c), and (d) of this Rule, applicants for the Intermediate Law Enforcement Certificate shall have acquired the following combination of educational points or degrees, law enforcement training points, and years of law enforcement experience:

<u>Educational Degrees</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>
<u>Years of Law</u>	<u>8</u>	<u>6</u>	<u>4</u>	<u>4</u>	<u>2</u>
<u>Enforcement Experience</u>					
<u>Minimum Law</u>	<u>20</u>	<u>35</u>	<u>50</u>	<u>24</u>	<u>23</u>
<u>Enforcement</u>					
<u>Training Points</u>					
<u>Minimum Total</u>	<u>39</u>	<u>69</u>	<u>99</u>	<u>24</u>	<u>23</u>
<u>Education and</u>					
<u>Training Points</u>					

(f) In addition to the qualifications set forth in Paragraphs (a), (b), (c), and (d) of this Rule, applicants for the Advanced Law Enforcement Certificate shall have acquired the following combination of educational points or degrees, law enforcement training points, and years of law enforcement experience:

<u>Educational Degrees</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>	<u>Doctoral,</u> <u>Professional</u> <u>or Master</u>
<u>Years of Law</u>	<u>12</u>	<u>9</u>	<u>9</u>	<u>6</u>	<u>4</u>
<u>Enforcement</u>					
<u>Experience</u>					
<u>Minimum Law</u>	<u>35</u>	<u>50</u>	<u>33</u>	<u>27</u>	<u>23</u>
<u>Enforcement</u>					
<u>Training Points</u>					
<u>Minimum Total</u>	<u>69</u>	<u>99</u>	<u>33</u>	<u>27</u>	<u>23</u>
<u>Education and</u>					
<u>Training Points</u>					

(g) Educational points or degrees claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

1 (h) No more than 160 hours of training obtained by completing an accredited basic law enforcement training program
2 required to serve in a sworn law enforcement position as defined in Rule .0103(19) of this Subchapter shall be credited
3 toward training points.
4

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

6 *Eff. January 1, 1989;*

7 *Amended Eff. January 1, 2013; January 1, 2006; August 1, 2000; August 1, 1998; February 1, 1998;*

8 *January 1, 1992; January 1, 1991; January 1, 1990;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
10 *2018;*

11 *Amended Eff. December 1, 2025.*
12
13

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1006

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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:

Are the "contents or substantive requirements" of the forms in lines 6 and 24 prescribed by rule or statute, as required by G.S. 150B-2(8a)d.? If so, where?

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 .1006 is proposed for amendment as published in 40:03 NCR 279-280 as follows:

2
3 **12 NCAC 10B .1006 HOW TO APPLY**

4 (a) All applicants for an award of the ~~basic~~, intermediate or advanced professional certificates for sheriffs and deputy
5 sheriffs shall complete ~~an "Application: Professional Certificate/Service Award", (F-6).~~ the "Application for
6 Professional Certificate/Service Award," Form F-6.

7 (b) Documentation of education shall be provided by copies of transcripts, diplomas, or certified letters from the
8 accredited institution.

9 (c) Documentation of training shall be provided by copies of training records signed by the agency's training officer
10 or department head, or by providing certificates of completion. ~~Military Police Officers shall provide a military DD-~~
11 ~~214 form DD214, Certificate of Release from Active Duty form, for verification of service. Federal government~~
12 ~~employees (law enforcement agencies), shall provide certified letters of verification of employment or copies of~~
13 ~~federal oaths of office.~~

14 (d) Military Police Officers shall provide a military DD214, Certificate of Release from Active Duty form, for
15 verification of service. Federal government employees with service in a sworn law enforcement position, as defined
16 in Rule .0103(19) of this Subchapter, shall provide letters of verification of dates of employment on the agency
17 letterhead signed by the department head or their designee.

18 ~~(d)(e)~~ (e) Documentation of the applicant's length of service in North Carolina shall be based upon the Division's
19 certification records, however, oaths of office may be requested of the ~~applicant.~~ applicant if confirmation of dates of
20 service is required. Documentation shall be provided by ~~certified~~ letters of verification of employment from present
21 or former out-of-state employers ~~(law enforcement agencies).~~ where the applicant served in a sworn law enforcement
22 position, as defined in Rule .0103(19) of this Subchapter.

23 ~~(e)(f)~~ (f) The ~~applicant shall submit the "Application: Professional Certificate/Service Award", (F-6)~~ "Application for
24 Professional Certificate/Service Award," Form F-6, shall be signed by the department head and forwarded to the
25 Division, to the agency head who shall attach his recommendation and forward the application to the Division.
26 Certificates shall be issued to the ~~agency~~ department head for award to the applicant.

27
28 *History Note: Authority G.S. 17E-4;*

29 *Eff. January 1, 1989;*

30 *Amended Eff. August 1, 1998; January 1, 1992; January 1, 1991;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
32 *2018.*

33 *Amended Eff. December 1, 2025.*
34

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

AGENCY: Sherrif's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1205

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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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:

Can you confirm that this rule is intended for repeal?

Note, for all your repeals, it is not necessary to include the text of the rule in the submission to RRC. See <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>

It is clear in the other repeals from strikethroughs that you did intend a repeal, but I wanted to double check this one. It is not necessary to resubmit the rules you intend for repeal.

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

Seth Ascher
Commission Counsel
Date submitted to agency: November 6, 2025

12 NCAC 10B .1205 is proposed for repeal as published in 40:03 NCR 281 as follows:

12 NCAC 10B .1205 ADVANCED DETENTION OFFICER PROFESSIONAL CERTIFICATE

(a) In addition to the qualifications set forth in Rule .1202 of this Section, applicants for the Advanced Detention Officer Professional Certificate shall possess or be eligible to possess the Intermediate Detention Officer Professional Certificate and shall have acquired the following combination of educational points or degrees, detention officer or corrections training ~~points~~ points, and years of detention officer experience:

Educational Degrees	None	None	Associate	Bachelor	Doctoral, Professional or Master
Years of Detention Officer Experience	12	9	9	6	4
Minimum Detention Officer Training Points	12	16	27	26	26
Minimum Total Education and Training Points	23	33	27	26	26

(b) Educational points and degrees claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any ~~correspondence, on-line~~ correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 80 hours of training obtained by completing the ~~commission-mandated~~ accredited detention ~~certification course~~ officer certification course as set out in Rule .0601 of this Subchapter shall be credited toward training points.

History Note: Authority G.S. 17E-4(b)(1); 17E-4(b)(12);

Eff. January 1, 1990;

*Amended Eff. February 1, 2014; January 1, 2013; August 1, 2002; August 1, 1998; January 1, 1996;
January 1, 1994; January 1, 1992;*

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

Repeal Eff. December 1, 2025.

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1206

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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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:

Are the "contents or substantive requirements" of the forms in lines 6 and 17 prescribed by rule or statute, as required by G.S. 150B-2(8a)d.? If so, where?

On line 11, you have an incomplete statutory citation, "17E-2".

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

12 NCAC 10B .1206 is proposed for amendment as published in 40:03 NCR 282 as follows:

12 NCAC 10B .1206 HOW TO APPLY

(a) All applicants for an award of the ~~detention officer Basic, Intermediate intermediate~~ or Advanced Certificates advanced professional certificates shall complete an ~~"Application: Professional Certificate/Service Award", (F-6). the~~ "Application for Professional Certificate/Service Award," Form F-6.

(b) Documentation of education shall be provided by copies of transcripts, diplomas, or certified letters from the accredited institution.

(c) Documentation of training shall be provided by copies of training records signed by the agency's training officer or department head, or by providing certificates of completion. No out-of-state training shall be accepted, ~~unless,~~ unless the officer is employed in North Carolina as a justice officer as defined in 17E-2 during the time of training.

(d) Documentation of the applicant's length of service in North Carolina shall be based upon the Division's certification records, however, certified letters of verification of employment from present or former employers may be requested of ~~an applicant.~~ applicant if confirmation of dates of service is required. No out-of-state length of service shall be applicable to this certificate program.

(e) The ~~applicant shall submit the "Application: Professional Certificate/Service Award", (F-6) "Application for Professional Certificate/Service Award," Form F-6,~~ shall be signed by ~~to his sheriff the department head who shall attach his recommendation and forward the application to the Commission, and forwarded to the Division.~~ the department head who shall attach his recommendation and forward the application to the Commission, and forwarded to the Division. Certificates ~~will shall~~ be issued to the ~~sheriff~~ department head for award to the applicant.

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

Eff. January 1, 1990;

Amended Eff. August 1, 1998; January 1, 1991;

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

Amended Eff. December 1, 2025.

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

AGENCY: Sherrif's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1406

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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

Are the "contents or substantive requirements" of the forms in lines 6 and 12 prescribed by rule or statute, as required by G.S. 150B-2(8a)d.? If so, where?

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 .1406 is proposed for amendment as published in 40:03 NCR 283 as follows:

2
3 **12 NCAC 10B .1406 HOW TO APPLY**

4 (a) All applicants for an award of the ~~basic~~, intermediate or advanced reserve officer professional certificates shall
5 complete ~~an "Application: Reserve Deputy Sheriff Professional Certificate/Service Recognition", (F-6R). the~~
6 "Application for Professional Certificate/Service Award," Form F-6R.

7 (b) Documentation of training shall be provided by copies of training records signed by the agency's training officer
8 or department head, or by providing certificates of completion.

9 (c) Verification of the applicant's length of service as a reserve deputy ~~sheriff~~ sheriff, as required in ~~12 NCAC 10B~~
10 ~~.1402(b)(1) Rule .1402(c)(1) of this Section~~, shall be documented by providing certified letters, signed by the
11 employing sheriff or ~~his/her~~ his or her authorized designee.

12 (d) The ~~applicant shall submit the application~~ "Application for Professional Certificate/Service Award," Form F-6R,
13 ~~to the agency head who shall attach his/her recommendation and forward the application~~ shall be signed by the
14 department head and forwarded to the Division. Certificates shall be issued to the ~~agency~~ department head for award
15 to the applicant.

16
17 *History Note: Authority ~~G.S. 17E;~~ G.S. 17E-4;*

18 *Eff. August 1, 2000;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
20 *2018.*

21 *Amended Eff. December 1, 2025.*
22

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1606

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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

Are the "contents or substantive requirements" of the forms in lines 6 and 17 prescribed by rule or statute, as required by G.S. 150B-2(8a)d.? If so, where?

On line 11, you have an incomplete statutory citation, "17E-2".

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

12 NCAC 10B .1606 is proposed for amendment as published in 40:03 NCR 285 as follows:

12 NCAC 10B .1606 HOW TO APPLY

(a) All applicants for an award of the ~~telecommunicator~~ basic, intermediate or advanced professional certificates shall complete ~~an "Application: Professional Certificate/Service Award", (F-6).~~ the "Application for Professional Certificate/Service Award," Form F-6.

(b) Documentation of education shall be provided by copies of transcripts, diplomas, or certified letters from the accredited institution.

(c) Documentation of training shall be provided by copies of training records signed by the agency's training officer or department head, or by providing certificates of completion. No out-of-state training shall be accepted, unless the officer is employed in North Carolina as a justice officer as defined in 17E-2 during the of training.

(d) Documentation of the applicant's length of service in North Carolina shall be based upon the Division's certification records, however, certified letters of verification of employment from present or former employers may be requested of ~~the applicant.~~ an applicant if confirmation of dates of service is required. No out-of-state length of service shall be applicable to this certificate program.

(e) The ~~applicant shall submit the "Application: Professional Certificate/Service Award", (F-6)~~ "Application for Professional Certificate/Service Award," Form F-6, ~~shall be signed by the department head to the agency head who shall attach his recommendation and forward the application and forwarded~~ shall be signed by the department head to the agency head who shall attach his recommendation and forward the application and forwarded to the Division. Certificates shall be issued to the ~~agency~~ department head for award to the applicant.

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

Eff. April 1, 2001;

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

Amended Eff. December 1, 2025.

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

AGENCY: Sheriff's Education and Training Standards Commission

RULE CITATION: 12 NCAC 10B .1901

DEADLINE FOR RECEIPT: Friday, November 14, 2025

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

On lines 16 through 19, it is not clear to me what documentation would be required by item (a)(4), since it is proving a negative. Are there specific background checks this is intended to require? If so, they need to be specified somewhere.

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 .1901 is proposed for amendment as published in 40:03 NCR 285-286 as follows:

2
3 **SECTION .1900 – MILITARY TRAINED APPLICANT AND MILITARY SPOUSE**
4

5 **12 NCAC 10B .1901 MILITARY AND MILITARY SPOUSE TRANSFEREES**

6 (a) An individual who applies for seeking justice officer certification as a military trained applicant pursuant to G.S.
7 93B-15.1 who applies to the Division for a certification issued by the Commission must shall meet and submit, along
8 with other documentation required in Rule .0408, documentation verifying his or her compliance with the following
9 requirements:

- 10 (1) Been awarded a military occupational specialty that is substantially equivalent to or exceeds the
11 training requirements required for certification and performed in the occupational specialty;
12 (2) Completed a military program of training, completed testing or equivalent training and experience
13 as determined by Paragraph (c) of this Rule;
14 (3) Engaged in the active practice of that occupation for at least two of the five years prior to the date
15 of appointment; and
16 (4) Not committed any act in any jurisdiction that would have constituted grounds for refusal,
17 suspension ~~of or~~ revocation of a license to practice that occupation in this State at the time the act
18 was committed. ~~The military trained applicant shall submit documentation to the Division verifying~~
19 ~~his or her compliance with the above listed criteria.~~

20 (b) An individual who applies for seeking justice officer certification as a military spouse pursuant to G.S. 93B-15.1
21 who applies to the Division for a certification issued by the Commission must shall meet and submit, along with other
22 documentation required in Rule .0408, the following requirements:

- 23 (1) Hold a current license, certification or registration from another jurisdiction which is substantially
24 equivalent to or exceeds the training requirements required for certification;
25 (2) Be in good standing with the issuing agency and not have been disciplined by the agency that has
26 the jurisdiction to issue the license, certification or permit; and
27 (3) Demonstrate competency in the occupation by:
28 (A) Having completed continuing education comparable to the education and training required
29 for the type of certification for which application is being made, as determined by
30 Paragraph (c) of this Rule; or
31 (B) Having engaged in the active practice of that occupational specialty for at least two of the
32 five years prior to the date of appointment.

33 ~~The military spouse shall submit documentation to the Division verifying his or her compliance with the above listed~~
34 ~~criteria.~~

35 (c) The Division shall review the documents received to determine if any additional training is required to satisfy the
36 certification requirements ~~of this Subchapter. as set out in Rule .0504 of this Subchapter.~~ Where training provided by

1 the military or in other states require approval of prior training, such approval by the appropriate entity ~~must~~ shall also
2 be documented.

3 (d) In the event the applicant's prior training is not equivalent to the Commission's standards, the Commission shall
4 prescribe as a condition of certification, supplementary or remedial training deemed necessary to equate previous
5 training with current standards.

6 (e) Where certifications issued by the Commission require satisfactory performance on a written examination as part
7 of the training, the Commission shall require such examinations for the ~~certification.~~ certification of military trained
8 and military spouse applicants.

9
10 *History Note: Authority G.S. 17E-4; 17E-7; 93B-15.1;*

11 *Eff. March 1, 2014;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
13 *2018.*

14 *Amended Eff. December 1, 2025.*