

1 12 NCAC 10B .0403 is proposed for amendment as published in 40:04 NCR 433 as follows:

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3 **12 NCAC 10B .0403 PROBATIONARY CERTIFICATION REQUIREMENT**

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

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

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

12 ~~(d)~~(b) Report of Appointment forms ~~must~~ shall be submitted to the Division by the employing agency no later than
13 10 days after the deputy sheriff has taken the Oath of Office, or the detention officer or the telecommunicator has been
14 appointed.

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

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

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

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

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

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

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

34 (3) Necessary to:

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

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

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

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

6 (i) a felony; or

7 (ii) a breach of the peace; or

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

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

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

13 *Eff. January 1, 1989;*

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

15 *Temporary Amendment Eff. March 1, 1998;*

16 *Amended Eff. August 1, 1998;*

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

19 *Amended Eff. December 1, 2025*
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12 NCAC 10B .0407 is proposed for amendment as published in 40:04 NCR 433-434 as follows:

12 NCAC 10B .0407 CERTIFICATION OF FORMER SHERIFF

(a) The Division shall issue a General Certification to any person as either a deputy sheriff, a detention officer, or telecommunicator who has previously served as an elected or appointed sheriff for a minimum of eight years, if the person:

- (1) applies to the Commission within one year of ceasing to serve as an elected or appointed sheriff; and
- (2) left the office of sheriff in good standing.

(b) The Division shall issue a General Certification to any person as either a deputy sheriff, a detention officer, or telecommunicator who has previously served as an elected or appointed sheriff ~~for a minimum of four years~~, if the person:

- (1) applies to the Commission within one year of ceasing to serve as an elected or appointed sheriff;
- (2) held a General Certification as deputy sheriff, detention officer, or telecommunicator with the North Carolina Sheriffs' Education and Training Standards Commission or has held a General Certification as a sworn officer with the North Carolina Criminal Justice Commission, with a break in service not to exceed one year prior to serving as an elected or appointed sheriff; and
- (3) left the office of sheriff in good standing.

(c) In order for an officer to be certified under this Rule, the employing agency shall:

- (1) comply with the Report of Appointment form requirement of Rule .0403 of this Section;
- (2) submit to the Division, a copy of the Oath of Office for applicants requesting certification as a deputy sheriff; and
- (3) submit to the Division verification that the applicant meets the requirement of this Rule .0407(a)(2).

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1991;
Amended Eff. January 1, 1996;
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. July 1, 2020.
Amended Eff. December 1, 2025.

1 12 NCAC 10B .0412 is proposed for adoption as published in 40:03 NCR 277 as follows:

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3 **12 NCAC 10B .0412 DEPARTMENT HEAD RESPONSIBILITIES: CRITICAL INCIDENT**
4 **REPORTING**

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

10 (1) date and time of incident;

11 (2) location of incident;

12 (3) officer involved; and

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

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

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

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

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

24 Adoption Eff. December 1, 2025
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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.
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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.*
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12 NCAC 10B .1004 is proposed for repeal as published in 40:03 NCR 278-279 as follows:

12 NCAC 10B .1004 INTERMEDIATE LAW ENFORCEMENT CERTIFICATE

~~(a) In addition to the qualifications set forth in Rule .1002 of this Section, applicants for the Intermediate Law Enforcement Certificate shall possess or be eligible to possess the Basic Law Enforcement Certificate and shall have acquired the following combination of educational points or degrees, law enforcement training training points, and years of law enforcement training experience:~~

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

~~(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 160 hours of training obtained by completing the commission mandated an accredited basic law enforcement training course program required to serve in a sworn law enforcement position as defined in Rule .0103(19) 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, 1989;

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

12 NCAC 10B .1005 is proposed for repeal as published in 40:03 NCR 279 as follows:

12 NCAC 10B .1005 ADVANCED LAW ENFORCEMENT CERTIFICATE

~~(a) In addition to the qualifications set forth in Rule.1002 Rule .1002 of this Section, applicants for the Advanced Law Enforcement Certificate shall possess or be eligible to possess the Intermediate Law Enforcement Certificate and shall have acquired the following combination of educational points or degrees, law enforcement training points points, and years of law enforcement experience:~~

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

~~(b) 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, on line correspondence or vocational courses unless credited towards a degree by an accredited institution.~~

~~(c) No more than 160 hours of training obtained by completing the commission mandated an accredited basic law enforcement training course program required to serve in a sworn law enforcement position as defined in Rule .0103(19) 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, 1989;
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.*

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.

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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.*
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1 12 NCAC 10B .1202 is proposed for amendment as published in 40:03 NCR 280-281 as follows:

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3 **12 NCAC 10B .1202 ~~GENERAL PROVISIONS~~ ELIGIBILITY FOR PROFESSIONAL CERTIFICATES**

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

6 (1) be a full-time detention officer who holds a valid general or grandfather ~~certification~~, certification
7 as defined in G.S. 17E-7(a). A detention officer serving under a probationary certification is not
8 eligible for consideration. ~~Any detention officer subject to suspension or revocation proceedings or~~
9 ~~under investigation for possible decertification action by the Commission or the North Carolina~~
10 ~~Criminal Justice Education and Training Standards Commission is not eligible for any detention~~
11 ~~officer professional awards for the pendency of the proceeding.~~

12 (2) any detention officer subject to suspension or revocation proceedings, under investigation for
13 possible decertification action, under a period of active revocation of their certification, or under
14 probation or suspended sanction, by the Commission or the North Carolina Criminal Justice
15 Education and Training Standards Commission, shall not be eligible for any professional certificates
16 for the pendency of the proceedings or period of probation, suspension, or revocation;

17 (2)(3) ~~be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the~~
18 ~~International Association of Chiefs of Police including any subsequent editions or modifications~~
19 ~~thereto. A copy of the Code of Ethics may be obtained at no cost from the Sheriffs' Standards~~
20 ~~Division, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina~~
21 ~~27602-0629, meet and maintain the requirements of certification pursuant to Rule .0301 and Section~~
22 .0600 of this Subchapter.

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

28 (c) Only training and experience gained in an officer's area of ~~expertise~~ expertise, as described in Paragraph (d) of
29 this Rule, shall be eligible for application to this program.

30 (d) Certificates shall be awarded based upon a formula contained herein ~~which~~ that combines formal education,
31 training, and ~~actual~~ experience as a detention officer. Points are computed in the following manner:

32 (1) each semester hour of college credit shall equal one education point and each quarter hour of college
33 credit shall equal two thirds of an education point. No correspondence or vocational courses shall
34 be credited towards education points unless an accredited institution, as set out in ~~12 NCAC 10B~~
35 ~~.1204(b)~~, Paragraph (g) of this Rule, credits the ~~course(s)~~ courses towards a degree;

36 (2) ~~twenty~~ 20 ~~classroom~~ hours of ~~commission approved~~ detention officer training shall equal one
37 training point; and

(3) experience as a member of a correctional or detention facility in North Carolina, as defined in Rule .0103(6) of this Subchapter is acceptable for consideration; Subchapter.

(e) In addition to the qualifications set forth in Paragraphs (a), (b), (c), and (d) of this Rule, applicants for the Intermediate Detention Officer Professional Certificate shall have acquired the following combination of educational points or degrees, detention officer or corrections training points, and years of detention officer experience:

<u>Educational Degrees</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>
<u>Years of Detention Officer Experience</u>	<u>8</u>	<u>6</u>	<u>4</u>	<u>4</u>	<u>2</u>
<u>Minimum Detention Officer Training Points</u>	<u>6</u>	<u>12</u>	<u>16</u>	<u>24</u>	<u>23</u>
<u>Minimum Total Education and Training Points</u>	<u>13</u>	<u>23</u>	<u>33</u>	<u>24</u>	<u>23</u>

(f) In addition to the qualifications set forth in Paragraphs (a), (b), (c), and (d) of this Rule, 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, and years of detention officer experience:

<u>Educational Degrees</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>	<u>Doctoral, Professional or Master</u>
<u>Years of Detention Officer Experience</u>	<u>12</u>	<u>9</u>	<u>9</u>	<u>6</u>	<u>4</u>
<u>Minimum Detention Officer Training Points</u>	<u>12</u>	<u>16</u>	<u>27</u>	<u>26</u>	<u>26</u>
<u>Minimum Total Education and Training Points</u>	<u>23</u>	<u>33</u>	<u>27</u>	<u>26</u>	<u>26</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, or a national or regional accrediting body. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(h) No more than 80 hours of training obtained by completing the detention officer certification course, as set out in Rule .0601 of this Subchapter, shall be credited toward training points.

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History Note: Authority G.S. 17E-4;
Eff. January 1, 1990;
Amended Eff. January 1, 2013; January 1, 2006; August 1, 1998; February 1, 1998; January 1,
1996; January 1, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,
2018;
Amended Eff. December 1, 2025.

12 NCAC 10B .1204 is proposed for repeal as published in 40:03 NCR 281 as follows:

12 NCAC 10B .1204 INTERMEDIATE DETENTION OFFICER PROFESSIONAL CERTIFICATE

~~(a) In addition to the qualifications set forth in Rule .1202 of this Section, applicants for the Intermediate Detention Officer Professional Certificate shall possess or be eligible to possess the Basic 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	None	Associate	Bachelor
Years of Detention	8	6	4	4	2
Officer Experience					
Minimum Detention	6	12	16	24	23
Officer Training					
Points					
Minimum Total	13	23	33	24	23
Education and					
Training Points					

~~(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, 1992;

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

Repeal Eff. December 1, 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.

1 12 NCAC 10B .1206 is proposed for amendment as published in 40:03 NCR 282 as follows:

2
3 **12 NCAC 10B .1206 HOW TO APPLY**

4 (a) All applicants for an award of the ~~detention officer Basic, Intermediate intermediate~~ or Advanced Certificates
5 advanced professional certificates shall complete an ~~"Application: Professional Certificate/Service Award", (F-6). the~~
6 "Application for 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. No out-of-state training shall be accepted, ~~unless,~~
11 unless the officer is employed in North Carolina as a justice officer as defined in 17E-2 during the time of training.

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

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

20
21 *History Note: Authority G.S. 17E-4;*

22 *Eff. January 1, 1990;*

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

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

26 *Amended Eff. December 1, 2025.*
27

12 NCAC 10B .1402 is proposed for amendment as published in 40:03 NCR 282-283 as follows:

12 NCAC 10B .1402 ~~GENERAL PROVISIONS~~ ELIGIBILITY FOR PROFESSIONAL CERTIFICATES

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

(1) be an appointed reserve deputy sheriff who holds a valid ~~General~~ general or ~~Grandfather Certification~~ grandfather certification as defined in G.S. 17E-7(a). A reserve deputy sheriff serving under a probationary certification is not eligible for consideration. ~~Any deputy sheriff subject to suspension or revocation proceedings or under investigation for possible decertification action by the Commission or the North Carolina Criminal Justice Education and Training Standards Commission shall not be eligible for any deputy sheriff professional awards for the pendency of the proceeding;~~

(2) any reserve deputy sheriff subject to suspension or revocation proceedings, under investigation for possible decertification action, 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, shall not be eligible for any professional certificates for the pendency of the proceedings or period of probation, suspension, or revocation;

~~(2)(3) be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the International Association of Chiefs of Police to include any subsequent editions or modifications thereto. A copy of the Code of Ethics may be obtained at no cost from the Sheriffs' Standards Division, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina 27602-0629; meet and maintain the requirements of certification pursuant to Rule .0301 and Section .0500 of this Subchapter;~~

~~(3)(4) the applicant shall be a sworn law enforcement officer~~ officer, as defined in Rule .0103(19) of this Subchapter, of a North Carolina Sheriff's Office, as certified in writing by the sheriff; or be a sworn law enforcement officer of an agency who must be appointed by the sheriff in order to perform his duties as certified in writing by the Sheriff; and sheriff's office.

(4) only training or experience gained in an officer's area of expertise will be eligible for application to this program. All training must be completed during the time of service as a sworn law enforcement officer, with the exception of Basic Law Enforcement Training.

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

~~(b)(c)~~ Certificates are shall be awarded based upon a formula which that combines law enforcement training and actual participation experience as a reserve deputy sheriff in a law enforcement functions. position, as defined in Rule .0103(19) of this Subchapter. Points are computed in the following manner:

- (1) a minimum of ~~ninety-six (96)~~ 96 hours ~~achieved~~ worked as a reserve deputy sheriff over a one-year period of participation in law enforcement functions, by having been called into reserve duty by the appointing sheriff, shall equal one year of reserve service;
- (2) ~~twenty~~ 20 hours of ~~commission approved~~ law enforcement training shall equal one law enforcement training point; and
- (3) service as a reserve deputy sheriff in a sworn law enforcement position, as defined in Rule .0103(19) of this Subchapter, ~~shall be acceptable for consideration.~~ An officer who is otherwise ineligible to receive an equivalent certificate through the Professional Certificate Program for ~~Sheriffs~~ sheriffs and ~~Deputy Sheriffs~~ deputy sheriffs, as set out in ~~12 NCAC 10B-1000~~ Section .1000 of this Subchapter, may receive a certificate under this ~~program, program, in which case one~~ One year of full-time service may be substituted for one year of reserve service in computing eligibility under this Section.

(d) In addition to the qualifications set forth in Paragraphs (a), (b), and (c) of this Rule, applicants for the Intermediate Reserve Deputy Sheriff Professional Certificate shall have acquired the following law enforcement training points and years of service as a reserve law enforcement officer:

- (1) 8 years of reserve officer law enforcement experience; and
- (2) 35 minimum law enforcement training points.

(e) In addition to the qualifications set forth in Paragraphs (a), (b), and (c) of this Rule, applicants for the Advanced Deputy Sheriff Professional Certificate shall possess or be eligible to possess the Intermediate Reserve Deputy Sheriff Professional Certificate and shall have acquired the following law enforcement training points and years of service as a reserve law enforcement officer:

- (1) 12 years of reserve officer law enforcement experience; and
- (2) 50 minimum law enforcement training points.

(f) No more than 160 hours of training obtained by completing an accredited basic law enforcement training program required to serve in a sworn law enforcement position, as defined in Rule .0103(19) of this Subchapter, shall be credited toward training points for the Intermediate or Advanced Reserve Deputy Sheriff Professional Certificate.

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

Eff. August 1, 2000;

Amended Eff. January 1, 2006;

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

Amended Eff. December 1, 2025.

1 12 NCAC 10B .1404 is proposed for repeal as published in 40:03 NCR 283 as follows:

2
3 **12 NCAC 10B .1404 INTERMEDIATE RESERVE DEPUTY SHERIFF CERTIFICATE**

4 ~~In addition to the qualifications set forth in Rule .1402 in this Section, applicants for the Intermediate Reserve Deputy~~
5 ~~Sheriff Certificate shall possess or be eligible to possess the Basic Reserve Deputy Sheriff Certificate and shall have~~
6 ~~acquired the following law enforcement training points and years of service as a reserve law enforcement officer:~~

7 ~~(1) 8 years of reserve officer law enforcement experience; and~~

8 ~~(2) 35 points minimum reserve officer law enforcement training. No more than 160 hours of training~~
9 ~~obtained by completing the commission mandated an accredited basic law enforcement training~~
10 ~~course program required to serve in a sworn law enforcement position as defined in Rule .0103(19)~~
11 ~~of this Subchapter shall be credited toward training points.~~

12
13 *History Note: Authority G.S. 17E;*

14 *Eff. August 1, 2000;*

15 *Amended Eff. August 1, 2002;*

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

18 *Repeal Eff. December 1, 2025.*
19
20

1 12 NCAC 10B .1405 is proposed for repeal as published in 40:03 NCR 283 as follows:

2
3 **12 NCAC 10B .1405 ADVANCED RESERVE DEPUTY SHERIFF CERTIFICATE**

4 ~~In addition to the qualifications set forth in Rule .1402 of this Section, applicants for the Advanced Deputy Sheriff~~
5 ~~Certificate shall possess or be eligible to possess the Intermediate Reserve Deputy Sheriff Certificate and shall have~~
6 ~~acquired the following law enforcement training points and years of service as a reserve law enforcement officer:~~

7 (1) ~~12 years of reserve officer law enforcement experience; and~~

8 (2) ~~50 points minimum total of reserve officer law enforcement training. No more than 160 hours of~~
9 ~~training obtained by completing the commission mandated an accredited basic law enforcement~~
10 ~~training course program required to serve in a sworn law enforcement position as defined in Rule~~
11 ~~.0103(19) of this Subchapter shall be credited toward training points.~~

12
13 *History Note: Authority G.S. 17E;*

14 *Eff. August 1, 2000;*

15 *Amended Eff. August 1, 2002;*

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

18 *Repeal Eff. December 1, 2025.*
19
20

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

12 NCAC 10B .1602 is proposed for amendment as published in 40:03 NCR 283-284 as follows:

12 NCAC 10B .1602 ~~GENERAL PROVISIONS~~ ELIGIBILITY FOR PROFESSIONAL CERTIFICATES

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

(1) be a full-time telecommunicator who holds a valid general or grandfather ~~certification~~ certification, as defined in G.S. 17E-7(a), ~~under the North Carolina Sheriffs' Education and Training Standards Commission.~~ A telecommunicator serving under a probationary certification is not eligible for consideration;

(2) any telecommunicator subject to suspension or revocation proceedings, under investigation for possible decertification action, 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, shall not be eligible for any telecommunicator professional certificates for the pendency of the proceedings or period of probation, suspension, or revocation; and

~~(2)(3) be familiar with and subscribe to the Telecommunicator Code of Ethics as published by the Association of Public Safety Communications Officials and the National Emergency Number Association including any subsequent editions or modifications thereto. A copy of the Code of Ethics may be obtained at no cost from the Sheriffs' Standards Division, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina 27602-0629. meet and maintain the requirements of certification pursuant to Rule .0301 and Section .1300 of this Subchapter.~~

(b) ~~employees~~ Employees of a North Carolina ~~Sheriff's Office~~ sheriff's office or other agency who have previously held general or grandfather telecommunicator certification under the ~~North Carolina Sheriffs' Education and Training Standards Commission~~ Commission, but are presently, by virtue of promotion or transfer, serving in positions not subject to ~~certification~~ certification, are eligible to participate in the Professional Certificate Program. Eligibility for this exception requires continuous employment with the sheriff's office or agency from the date of promotion or transfer from a certified position to the date of application for a professional certificate.

(c) Only training and experience gained in a telecommunicator's area of ~~expertise~~ expertise, as described in Paragraph (d) of this Rule, ~~will~~ shall be eligible for application to this program.

(d) Certificates shall be awarded based upon a formula contained herein ~~which~~ that combines formal education, training, and ~~actual~~ experience as a telecommunicator. Points are computed in the following manner:

(1) each semester hour of college credit shall equal one education point and each quarter hour of college credit shall equal two thirds of ~~a point~~; an education point. No correspondence or vocational courses shall be credited towards education points unless an accredited institution, as set out in Paragraph (g) of this Rule, credits the courses towards a degree;

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

(3) ~~only~~ experience as a full-time telecommunicator telecommunicator, as defined in Rule .0103(20) of this Subchapter, ~~certified through the Commission shall be 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 Telecommunicator Professional Certificate shall have acquired the following combination of educational points or degrees, telecommunicator training points, and years of telecommunicator experience:

<u>Educational Degrees</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>
<u>Years of</u>	<u>8</u>	<u>6</u>	<u>4</u>	<u>4</u>	<u>2</u>
<u>Telecommunicator</u>					
<u>Experience</u>					
<u>Minimum</u>	<u>5</u>	<u>10</u>	<u>14</u>	<u>12</u>	<u>10</u>
<u>Telecommunicator</u>					
<u>Training Points</u>					
<u>Minimum Total</u>	<u>12</u>	<u>20</u>	<u>28</u>	<u>12</u>	<u>10</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 Telecommunicator Professional Certificate shall possess or be eligible to possess the Intermediate Telecommunicator Professional Certificate and shall have acquired the following combination of educational points or degrees, telecommunicator training points, and years of telecommunicator experience:

<u>Educational</u>					<u>Doctoral,</u>
<u>Degrees</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>	<u>Professional</u>
					<u>or Master</u>
<u>Years of</u>	<u>12</u>	<u>9</u>	<u>9</u>	<u>6</u>	<u>4</u>
<u>Telecommunicator</u>					
<u>Experience</u>					
<u>Minimum</u>	<u>10</u>	<u>12</u>	<u>17</u>	<u>14</u>	<u>12</u>
<u>Telecommunicator</u>					
<u>Training Points</u>					
<u>Minimum Total</u>	<u>20</u>	<u>23</u>	<u>17</u>	<u>14</u>	<u>12</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

1 the institution is located, or a national or regional accrediting body. No credit shall be given for any correspondence
2 or vocational courses unless credited towards a degree by an accredited institution.

3 (h) No more than 40 hours of training obtained by completing the telecommunicator certification course, as set out in
4 Rule .1302 of this Subchapter, shall be credited toward training points.

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

7 *Eff. April 1, 2001;*

8 *Amended Eff. January 1, 2013;*

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

12 NCAC 10B .1604 is proposed for repeal as published in 40:03 NCR 284-285 as follows:

12 NCAC 10B .1604 INTERMEDIATE TELECOMMUNICATOR CERTIFICATE

~~(a) In addition to the qualifications set forth in Rule .1602 of this Section, applicants for the Intermediate Telecommunicator Certificate shall possess or be eligible to possess the Basic Telecommunicator Certificate and shall have acquired the following combination of educational points or degrees, telecommunicator training points points, and years of telecommunicator training experience:~~

Educational Degrees	None	None	None	Associate	Bachelor
Years of	8	6	4	4	2
Telecommunicator					
Experience					
Minimum	5	10	14	12	10
Telecommunicator					
Training Points					
Minimum Total	12	20	28	12	10
Education and					
Training Points					

~~(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 40 hours of training obtained by completing the commission mandated accredited telecommunicator certification course as set out in Rule .1302 of this Subchapter shall be credited toward training points.~~

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

Eff. April 1, 2001;

Amended Eff. February 1, 2014; January 1, 2013; August 1, 2002;

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

Repeal Eff. December 1, 2025.

12 NCAC 10B .1605 is proposed for repeal as published in 40:03 NCR 285 as follows:

12 NCAC 10B .1605 ADVANCED TELECOMMUNICATOR CERTIFICATE

~~(a) In addition to the qualifications set forth in Rule .1602 of this Section, applicants for the Advanced Telecommunicator Certificate shall possess or be eligible to possess the Intermediate Telecommunicator Certificate and shall have acquired the following combination of educational points or degrees, telecommunicator training points, and years of telecommunicator experience:~~

Educational Degrees	None	None	Associate	Bachelor	Doctoral, Professional or Master
Years of Telecommunicator Experience	12	9	9	6	4
Minimum Telecommunicator Training Points	10	12	17	14	12
Minimum Total Education and Training Points	20	23	17	14	12

~~(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 40 hours of training obtained by completing the commission mandated accredited telecommunicator certification course as set out in Rule .1302 of this Subchapter shall be credited toward training points.~~

*History Note: Authority G.S. 17E-4(b)(1); 17E-4(b)(12);
Eff. April 1, 2001;
Amended Eff. February 1, 2014; January 1, 2013; August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,
2018.
Repeal Eff. December 1, 2025.*

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.

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.*