

# **NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

## **PROPOSED RULE AMENDMENT**

12NCAC 10B .0510 Certification and Training for School Resource Officers



### **Public Hearing**

04/30/2021 10:00am  
1700 Tryon Park Drive  
Raleigh, NC 27610

### **Full Commission Vote**

June 15, 2021  
Teleconference Meeting

## **Instructions for Oral and Written Comments**

The public comment period begins on April 30, 2021, and ends at 5:00 p.m. on June 14, 2021. Public comments shall be in writing and shall be directed to:

Diane Konopka  
North Carolina Department of Justice  
Sheriffs' Education and Training Standards Division  
Post Office Box 629  
Raleigh, NC 27602-0629

*"Public comment" is defined by NCGS 150B-21.3A(a)(5) as a written objection to all or part of a rule. Additionally, pursuant to NCGS 150B-21.3A(c)(2), in order for the Rules Review Commission to determine whether the public comment has merit, the public comment must address the specific substance of the rule and address any of the standards of Commission review, as set forth in NCGS 150B-21.9(a).*

Statutory Authority for Proposed Rules Changes: NCGS 17E: On March 12, 2021, the North Carolina Sheriffs' Education and Training Standards Commission proposed an amendment to 12NCAC 10B .0510 to further clarify the requirement for School Resource Officer Training and Certification.

Fiscal Impact: None

**\*\*\*If approved, change would be effective August 1, 2021\*\***

**Procedure for Subjecting a Proposed Rule to Legislative Review:**

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.



## NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

☒  
☐  
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Notice with a scheduled hearing

Notice without a scheduled hearing

Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: Sheriffs' Education and Training Standards Commission

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://ncdoj.gov/law-enforcement-training/sheriffs/all-commission-forms-publications/>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☒ ADOPTION: 12 NCAC 10B .0510

☐ AMENDMENT:

☐ REPEAL:

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

☐ REPEAL through READOPTION:

4. Proposed effective date: 08/01/2021

5. Is a public hearing planned? Yes

If yes:

Date

04/30/2021

Time

10:00 am

Location

1700 Tryon Park Drive, Raleigh, NC 27610

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

**7. Explain Reason For Proposed Rule(s):**

Amendment is necessary to further clarify the requirements for School Resource Officer certification.

**8. Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Rule(s) is automatically subject to legislative review. Cite statutory reference:**

**9. The person to whom written comments may be submitted on the proposed rule(s):**

Name: Diane Konopka  
Address: 1700 Tryon Park Drive  
Raleigh, NC 27615  
Phone (optional):  
Fax (optional):  
Email (optional) dkonopka@ncdoj.gov

**10. Comment Period Ends: 06/14/2021****11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

No fiscal note required

**12. Rule-making Coordinator:**

Name: Diane Konopka  
919-662-4375  
dkonopka@ncdoj.gov

**Agency contact, if any:**

Name:  
Phone:  
Email:

**13. The Agency formally proposed the text of this rule(s) on**

**Date: 03/12/2021**

1 **12 NCAC 10B .0510 IS PROPOSED TO BE AMENDED AS FOLLOWS:**

2  
3 **12 NCAC 10B .0510 CERTIFICATION AND TRAINING FOR SCHOOL RESOURCE OFFICERS**

4 (a) A "School Resource Officer (SRO)" is defined as any law enforcement officer assigned to one or more public  
5 schools within a local school administrative unit, as defined in G.S. 115C-5(6), who works in a school at least 20  
6 hours per week for more than 12 weeks per calendar year to assist with all of the following:

- 7 (1) School safety;
- 8 (2) School security;
- 9 (3) Emergency preparedness;
- 10 (4) Emergency response; and
- 11 (5) Any additional responsibilities related to school safety or security assigned by the officer's  
12 employer while the officer is acting as a School Resource Officer.

13 Any written memorandum of understanding between the local school administrative unit and the law enforcement  
14 agency governing the School Resource Officer shall be consistent with this Paragraph.

15 (b) Deputy Sheriffs assigned by their agency to perform duties as a School Resource Officer shall:

- 16 (1) have been issued general certification by the North Carolina Sheriffs' Education and Training  
17 Standards Commission as a Deputy Sheriff; and
- 18 (2) have until December 31, 2020 to complete the ~~Basie~~ basic School Resource Officer Training  
19 Course if they are acting in the capacity of a School Resource Officer between January 1, 2019  
20 and December 31, 2019. Any officer assigned as a School Resource Officer effective January 1,  
21 2020 or later shall complete the Basic School Resource Officer Training course pursuant to  
22 Paragraph (f) of this Rule, within one year after being assigned as a School Resource Officer.  
23 Deputy Sheriffs who previously completed the training pursuant to Paragraph (f) of this Rule at  
24 any time and who have been continually assigned as an SRO pursuant to Paragraph (a) of this  
25 Rule shall be credited with completion of the ~~Basie~~ basic School Resource Officer Training  
26 course. Deputy Sheriffs who completed the training pursuant to Paragraph (f) (g) of this Rule  
27 between October 1, 2018, and December 31, 2020, shall be credited with completion of the Basic  
28 School Resource Officer Training course even if they were not assigned as an SRO pursuant to  
29 Paragraph (a) of this Rule as long as they comply with the annual SRO refresher training pursuant  
30 to Paragraph (e) of this Rule.

31 (c) A Deputy Sheriff assigned to one or more public schools within a local school administrative unit, who works in  
32 a school at least 20 hours per week for more than 12 weeks per calendar year and who has not completed the initial  
33 training as established by Paragraph (f) (g) of this Rule shall not work in a school as a School Resource Officer until  
34 the officer has completed the initial training as established by Paragraph (f) of this Rule.

35 (d) The agency head shall submit to the Sheriffs' Standards Division a Form F-20 Commission School Resource  
36 Officer Assignment Form for the person(s) selected to act as a School Resource Officer for the agency. The Form F-

20 is located on the agency's website: <https://ncdoj.gov> and must be completed in its entirety. The Form F-20 Commission School Resource Officer Assignment Form consists of the following:

- (1) applicant's name;
- (2) date of birth;
- (3) social security number;
- (4) name of agency and address;
- (5) date awarded general certification;
- (6) completion date of School Resource Officer training; and
- (7) date assigned as a School Resource Officer.

(e) The term of certification as a School Resource Officer shall be indefinite, provided the School Resource Officer completes during each calendar year one credit of School Resource Officer refresher training authored by North Carolina Justice Academy. For School Resource Officers who complete the basic SRO training requirement in 2020 or earlier, this requirement becomes effective January 1, 2021. Otherwise, this requirement becomes effective the year following the officer's successful completion of the ~~Basic~~ basic School Resource Officer Training course. A certified School Resource Officer who has not completed the refresher training during a calendar year as established by this Rule shall not work in a school as a School Resource Officer until the officer has completed the required refresher training as established by this Rule. Any refresher training that is not completed during a single calendar year must be made up on or before January 31<sup>st</sup> of the following calendar year. Any officer who fails to resolve a deficiency in the refresher training shall no longer maintain School Resource Officer certification.

(f) Instructors who teach a basic SRO course in a traditional classroom format will receive credit toward the completion of the basic SRO course requirement as required by this rule, provided they pass all required tests and have their instruction documented by the Agency Head or In-Service Training Coordinator once completed.

~~(f)~~ (g) The School Resource Officer training course for Deputy Sheriffs shall provide the trainee with the skills and knowledge to perform in the capacity of a School Resource Officer. The ~~Basic~~ basic School Resource Officer Training course authored by the North Carolina Justice Academy shall be used as the curriculum for this training course. Copies of this publication may be inspected at the agency:

Sheriffs' Standards Division  
North Carolina Department of Justice  
1700 Tryon Park Drive  
Post Office Drawer 629  
Raleigh, North Carolina 27602

and may be obtained at the cost of printing and postage from the North Carolina Justice Academy at the following address:

North Carolina Justice Academy  
Post Office Drawer 99  
Salemberg, North Carolina 28385

1       1.   History Note:     Authority G.S. 17E-4; 17E-7;  
2                *Eff. January 1, 2019;*  
3                *Amended Eff. January 1, 2020.*  
4                *Amended Eff. August 1, 2021*  
5