

PROPOSED RULE AMENDMENTS

Public Hearing

July 31, 2026 (9:00am) Microsoft Teams

Instructions for Oral and Written Comments: The Objection, reasons for the objection, and the clearly Identified portion of the rule to which the objection pertains, must be submitted in writing to:



Holly Cardoza
Rulemaking Coordinator
Criminal Justice Standards Division
PO Drawer 149
Raleigh, NC 27602

Agency: Criminal Justice Education and Training Standards Commission
Contact: Holly Cardoza
Impact Summary: State Government: No
Local Government: No
Substantial Impact: No
Small Business: No

Purpose of Rule Changes:

To readopt rules as part of the Periodic Review process. To update requirements pertaining to annual firearms qualification for law enforcement officers. To update course curriculum requirements for Law Enforcement Officer Basic Training, Juvenile Justice Officer Basic Training, Juvenile Court Counselor Basic Training, LIDAR Operator Training, and Specialized Instructor Training courses. To update training requirements for Local Confinement Personnel. To update exam requirements for Criminal Justice Instructor Training. To update requirements for annual in-service training for law enforcement officers. To outline contents of School Resource Officer forms, Diversion Investigator forms, Electronic Speed-Measuring Systems forms, and law enforcement annual in-service forms. To outline requirements and approval process for Electronic Speed-Measuring Systems.

To update responsibilities of certified School Directors. To update exam requirements for Specialized Instructor Training courses and Radar Instructor Training courses. To outline the contents of forms for Juvenile Justice and Adult Correction basic training courses and the contents of Juvenile Justice certification forms.

For Adoption:

- 12 NCAC 09A .0301 Electronic Speed-Measuring Systems
- 12 NCAC 09B .0418 Comprehensive State Examination – Juvenile Justice Officer and Juvenile Court Counselor Basic Training
- 12 NCAC 09I .0108 Basic Training Forms – Juvenile Justice and Adult Correction
- 12 NCAC 09I .0110 Certification Forms – Juvenile Justice
- 12 NCAC 09I .0111 School Resource Officer (SRO) Forms
- 12 NCAC 09I .0112 Diversion Investigator and Supervisor Forms
- 12 NCAC 09I .0113 Electronic Speed-Measuring System (ESMS) Forms
- 12 NCAC 09I .0114 Annual In-Service Training Forms

For Amendment:

- 12 NCAC 09B .0238 Certification and Re-Certification Training for LIDAR Operators
- 12 NCAC 09E .0111 Completion of Annual In-Service Training

For Repeal:

- 12 NCAC 09B .0307 Terms and Conditions of Professional Lecturer Certification
- 12 NCAC 09B .0411 Comprehensive Written Exam – Local Confinement Facility
- 12 NCAC 09B .0412 Satisfaction of Minimum Training – Local Confinement Facility

For Readoption with Substantive Changes:

- 12 NCAC 09B .0201 Administration of Criminal Justice Schools
- 12 NCAC 09B .0202 Responsibilities of the School Director
- 12 NCAC 09B .0204 Training Course Enrollment
- 12 NCAC 09B .0205 Basic Law Enforcement Training
- 12 NCAC 09B .0209 Criminal Justice Instructor Training
- 12 NCAC 09B .0225 Basic Training - Local Confinement Personnel
- 12 NCAC 09B .0226 Specialized Firearms Instructor Training
- 12 NCAC 09B .0227 Specialized Driver Instructor Training
- 12 NCAC 09B .0232 Compliance and Control Tactics Instructor Training
- 12 NCAC 09B .0233 Specialized Physical Fitness Instructor Training
- 12 NCAC 09B .0235 Basic Training - Juvenile Court Counselors
- 12 NCAC 09B .0236 Basic Training - Juvenile Justice Officers
- 12 NCAC 09B .0241 Juvenile Justice Specialized Instructor Training - Restraints, Controls and Defense Techniques
- 12 NCAC 09B .0302 Criminal Justice Instructor Certification
- 12 NCAC 09B .0303 Terms and Conditions of Criminal Justice Instructor Certification
- 12 NCAC 09B .0304 Specialized Instructor Certification
- 12 NCAC 09B .0305 Terms and Conditions of Specialized Instructor Certification
- 12 NCAC 09B .0306 Professional Lecturer Certification
- 12 NCAC 09B .0308 RADAR Instructor Certification and Re-Certification Requirements
- 12 NCAC 09B .0313 Certification and Training for School Resource Officers
- 12 NCAC 09B .0314 Certification of Diversion Investigators and Supervisors
- 12 NCAC 09B .0404 Trainee Attendance

- 12 NCAC 09B .0405 Completion of Basic Law Enforcement Training Course
- 12 NCAC 09B .0406 Comprehensive State Examination - Basic Law Enforcement Training
- 12 NCAC 09B .0410 Criminal Justice Instructor Training Course
- 12 NCAC 09B .0413 Comprehensive Written Examination - Instructor Training
- 12 NCAC 09B .0415 Satisfaction of Minimum Training - Specialized Instructor
- 12 NCAC 09B .0417 Specialized Explosives and Hazardous Materials Instructor Training
- 12 NCAC 09E .0103 State or Local Law Enforcement Agency Head Responsibilities: Annual In-Service Training
- 12 NCAC 09E .0104 Instructors: Annual In-Service Training
- 12 NCAC 09E .0106 Annual Firearms Qualification Specifications

For Readoption without Substantive Changes:

- 12 NCAC 09B .0210 RADAR Instructor Training Courses
- 12 NCAC 09B .0237 LIDAR Instructor Certification Training and Re-Certification Courses

Statutory authority for rule change: G.S. 17C-6, 17C-10

*Rules begin on the following page

1 12 NCAC 09A .0301 is proposed for adoption as follows:
2

3 **SECTION .0300 – ELECTRONIC SPEED-MEASURING SYSTEMS FOR SPEED LIMIT VIOLATIONS**
4 **IN SCHOOL ZONES**
5

6 **12 NCAC 09A .0301 ELECTRONIC SPEED-MEASURING SYSTEMS**

7 (a) For the purposes of this Subchapter, an electronic speed-measuring system (ESMS) used for speed limit
8 enforcement in school zones is defined as a mobile or fixed device consisting of an automated traffic camera and a
9 sensor capable of measuring speed and producing one or more digital photographs recording of a motor vehicle
10 violating a posted speed limit, pursuant to G.S. 160A-300.4 and G.S. 153A-246.1. All requirements for accuracy
11 testing methods and operational procedures for electronic speed-measuring systems used to measure the speed of
12 vehicles for enforcement of speed limits in school zones shall conform with G.S. 8-50.4, 160A-300.4, 153A-246.1,
13 and 17C-6(a).

14 (b) Prior to approval of an ESMS for use for speed limit enforcement in school zones in North Carolina, manufacturers
15 shall submit a Application for ESMS Approval Form (ESMS-1), pursuant to 12 NCAC 09I .0113, to the Division
16 indicating that the ESMS meets the requirements outlined in "School Zone Electronic Speed-Measuring System
17 Requirements" as published by the Commission and the Secretary of Public Safety, which is hereby incorporated by
18 reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-
19 21.6. Copies of this publication may be obtained at no cost from the Department of Justice website:
20 <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

21 (c) Each ESMS shall be tested for accuracy within a 12-month period prior to each use of the system for speed limit
22 enforcement in school zones, as outlined in "School Zone Electronic Speed-Measuring System Requirements." The
23 test shall be conducted by a Commission-certified ESMS Technician, pursuant to Paragraph (d) of this Rule. The
24 results of the tests shall be recorded on Form ESMS-3 for systems using RADAR technology or Form ESMS-4 for
25 systems using LIDAR technology, pursuant to 12 NCAC 09I .0113.

26 (d) Individuals seeking certification as an ESMS Technician shall meet the following requirements:

- 27 (1) possess a general radiotelephone operator license from the Federal Communications Commission
28 or a Certified Electronics Technician certificate issued by a Federal Communications Commission
29 Commercial Operators License Examination Manager; and
30 (2) submit to the Division a completed Application for ESMS Technician Form ESMS-2, pursuant to
31 12 NCAC 09I .0113.

32 The term of certification as an ESMS Technician shall be indefinite, provided the individual retains licensure or
33 certification as outlined in Part (1) of this Paragraph.

34 (e) Each ESMS shall be calibrated and tested for accuracy, as outlined in "School Zone Electronic Speed-Measuring
35 System Requirements," within a 30-day period prior to each use of the system for speed limit enforcement in school
36 zones by a Commission-certified SMI Operator. For an ESMS with RADAR technology, the evaluating SMI Operator
37 shall hold active certification as a RADAR Operator or Instructor, pursuant to 12 NCAC 09B .0212 and .0308. For an

1 ESMS with LIDAR technology, the evaluating SMI Operator shall hold active certification as a LIDAR Operator or
2 Instructor, pursuant to 12 NCAC 09B .0237 and .0238.

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4 *History Note: Authority G.S. 17C-6; 8-50.4; 160A-300.4; 153A-246.1;*
5 *Eff. January 1, 2027.*

6

1 12 NCAC 09B .0418 is proposed for adoption as follows:
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3 **12 NCAC 09B .0418** **COMPREHENSIVE STATE EXAM – JUVENILE JUSTICE OFFICER AND**
4 **JUVENILE COURT COUNSELOR BASIC TRAINING**

5 (a) Division staff shall administer a comprehensive state examination within 60 days of the completed required
6 coursework for the following courses:

7 (1) Basic Training for Juvenile Court Counselors, pursuant to Rule .0235 of this Subchapter; and

8 (2) Basic Training for Juvenile Justice Officers, pursuant to Rule .0236 of this Subchapter.

9 (b) The examination shall consist of an objective test covering the subject areas outlined in the approved course
10 curriculum.

11 (c) A trainee shall achieve a minimum passing score of 70 percent on the comprehensive state examination.

12 (d) A trainee who has failed to achieve a passing score of 70 percent but has scored at least 60 percent on the
13 comprehensive state examination shall be eligible for re-examination with the following conditions:

14 (1) the trainee must submit to the Division a request for re-examination on the Commission Exam
15 Admission Form (F-23), pursuant to 12 NCAC 09I .0102, within 30 days following the initial exam;

16 (2) the trainee shall have only one opportunity for re-examination that must be completed within 60
17 days of the initial exam;

18 (3) a trainee who fails to achieve the minimum passing score of 70 percent on the re-examination shall
19 enroll in and complete a subsequent offering of the appropriate basic training course before further
20 examination is permitted.

21 (e) A trainee who fails to achieve a minimum score of 60 percent on the initial examination shall not be eligible for
22 re-examination. The trainee shall enroll in and complete a subsequent offering of the appropriate basic training course
23 before further examination is permitted.

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25 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10;

26 Eff. January 1, 2027.

1 12 NCAC 09I .0108 is being proposed for adoption as follows:

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3 **12 NCAC 09I .0108** **BASIC TRAINING FORMS – JUVENILE JUSTICE AND ADULT CORRECTION**

4 The following Commission-approved forms shall be used by agencies and Commission-accredited delivery sites for
5 officers holding probationary certification, pursuant to 12 NCAC 09C .0303 and 09G .0303:

6 (1) Form F-11, Report of Training Course Completion, shall include the following:

7 (a) student’s name, academy ID number, and date of birth;

8 (b) name of employing agency;

9 (c) student’s position title and date of appointment;

10 (d) course title, location, start date, end date, meeting times, and total hours;

11 (e) whether the student passed the course; and

12 (f) name of individual completing the form and date of form completion.

13 (2) Form F-15, Request for Training Extension, shall include the following:

14 (a) date of request;

15 (b) employee’s name, date of birth, last four of social security number, and position title;

16 (c) expiration date of probationary certification;

17 (d) scheduled basic training course type and course start and end dates;

18 (e) reason for employee not completing basic training;

19 (f) proposed start and end dates for subsequent basic training;

20 (g) employee’s name, signature, and date signed;

21 (h) school director’s name, signature, and date signed; and

22 (i) agency authorized representative’s name, signature, and date signed.

23
24 History Note: Authority G.S. 17C-6;

25 Eff. October 1, 2026.

1 12 NCAC 09I .0110 is proposed for adoption as follows:
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3 **12 NCAC 09I .0110** **CERTIFICATION FORMS – JUVENILE JUSTICE**

4 The following are Commission-approved forms to be used by individuals certified as, or applicants for certification
5 as, juvenile justice officers or juvenile court counselors:

6 (1) Form F-5A (JJ), Application for Certification - Juvenile Justice Officer & Juvenile Court Counselor,
7 shall include the following:

8 (a) name, phone number, and address of employing agency;

9 (b) applicant’s name, previous names used, social security number, home address, date of
10 birth, driver’s license number and issuing state, email address, and phone number;

11 (c) position type (Juvenile Justice Officer or Juvenile Court Counselor);

12 (d) hire date and full-time or part-time status;

13 (e) verification that the applicant has completed certification requirements as set out in 12
14 NCAC 09B .0116 or .0117, including:

15 (i) education information, including highest level of education, name and location of
16 high school, type of higher education degree earned, name and location of higher
17 education institution, and how each type of education and/or degree was verified
18 by the employing agency;

19 (ii) drug screening date, result, and name of laboratory;

20 (iii) date submitted fingerprints to State Bureau of Investigation and results shall be
21 attached;

22 (iv) psychological screening date and the name and license number of the evaluating
23 psychologist or psychiatrist;

24 (v) indication that medical forms, pursuant to .0105 of this Subchapter, have been
25 completed, date of medical examination, and name and license number of
26 examining medical professional;

27 (vi) indication that background investigation and associated forms, pursuant to 12
28 NCAC 09B .0102, have been completed;

29 (vii) indication of whether the applicant has prior military experience and attached
30 military records if applicable;

31 (viii) employment history of the applicant, supported by Form F-8, pursuant to 12
32 NCAC 09B .0102, if applicable;

33 (ix) attached a completed Form F-37, pursuant to Part (4) of this Rule; and

34 (x) applicant’s arrest, criminal, probation, and Domestic Violence Protective Order
35 history, supported by Form F-3, pursuant to 12 NCAC 09B .0102, if applicable;

36 (f) date completed Application for Verification of Expungement AOC-CR-280;

37 (g) signature of applicant and date signed; and

1 12 NCAC 09I .0111 is proposed for adoption as follows:

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3 **12 NCAC 09I .0111** **SCHOOL RESOURCE OFFICER (SRO) FORMS**

4 Form F-20, Commission School Resource Officer Assignment Form, shall be used by individuals to apply for SRO
5 certification, pursuant to 12 NCAC 09B .0313, and shall include the following:

6 (1) applicant's name;

7 (2) date of birth;

8 (3) social security number;

9 (4) name of agency and address;

10 (5) date awarded general certification;

11 (6) completion date of School Resource Officer training; and

12 (7) date assigned as a School Resource Officer.

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14 History Note: Authority G.S. 17C-6; 17C-10;

15 Eff. January 1, 2027.

1 12 NCAC 09I .0112 is proposed for adoption as follows:

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3 **12 NCAC 09I .0112** **DIVERSION INVESTIGATOR AND SUPERVISOR FORMS**

4 Form F-22(LE), Diversion Investigator/Supervisor Application, shall be used by individuals to apply for certification
5 as a Diversion Investigator or Supervisor, pursuant to 12 NCAC 09B .0314, and shall include the following:

6 (1) Original or renewal application type;

7 (2) Type of certification applying for;

8 (3) Agency name, phone number, and address;

9 (4) Applicant name, date of birth, and email address;

10 (5) Dates and locations of Diversion Investigator course and exam;

11 (6) Dates and locations of Diversion Investigator Supervisor course and exam, if applicable; and

12 (7) Name, email address, signature, and date signed of agency head or designee.

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

15 Eff. January 1, 2027.

1 12 NCAC 09I .0113 is proposed for adoption as follows:

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3 **12 NCAC 09I .0113 ELECTRONIC SPEED-MEASURING SYSTEM (ESMS) FORMS**

4 The following Commission-approved forms shall be used for the application for approval of electronic speed-
5 measuring systems, the application for ESMS Technician certification, and for ESMS calibration and accuracy testing,
6 pursuant to 12 NCAC 09A .0301:

7 (1) Form ESMS-1, Application for ESMS Approval, shall include the following:

8 (a) Manufacturer name;

9 (b) Name, model, and serial number of unit;

10 (c) Type of system (RADAR or LIDAR);

11 (d) System modes and features;

12 (e) Indication that the system meets the standards established in G.S. 8-50.4, 160A-300.4,
13 153A-246.1, and 17C-6(a) and outlined in "School Zone Electronic Speed-Measuring
14 System Requirements," pursuant to 12 NCAC 09A .0301(b);

15 (f) Name, email address, and phone number of individual submitting the form; and

16 (g) Signature of individual submitting the form and date signed.

17 (2) Form ESMS-2, Application for ESMS Technician, shall include the following:

18 (a) Applicant name, date of birth, Social Security Number, and Academy ID number;

19 (b) Applicant email address, phone number, and home address;

20 (c) Applicant signature and date signed; and

21 (b) Attached copy of the applicant's general radiotelephone operator license from the Federal
22 Communications Commission or a Certified Electronics Technician certificate issued by a
23 Federal Communications Commission Commercial Operators License Examination
24 Manager.

25 (3) Form ESMS-3, Annual ESMS Accuracy Testing (RADAR), shall include the following:

26 (a) Name of evaluating ESMS Technician;

27 (b) Date and location of testing;

28 (c) Name, manufacturer, model, and serial number of ESMS;

29 (e) Accuracy test results;

30 (f) Signature of the evaluating ESMS Technician verifying that the instrument passed all
31 required tests.

32 (4) Form ESMS-4, Annual ESMS Accuracy Testing (LIDAR), shall include the following:

33 (a) Name of evaluating ESMS Technician;

34 (b) Date and location of testing;

35 (c) Name, manufacturer, model, and serial number of ESMS;

36 (e) Accuracy test results;

1 (f) Signature of the evaluating ESMS Technician verifying that the instrument passed all
2 required tests.

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4 *History Note: Authority G.S. 17C-6; 8-50.4; 160A-300.4; 153A-246.1;*
5 *Eff. January 1, 2027.*

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1 12 NCAC 09I .0114 is proposed for adoption as follows:

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3 **12 NCAC 09I .0114** **ANNUAL IN-SERVICE TRAINING FORMS**

4 The following Commission-approved forms shall be used by individuals, instructors, and agencies for the purpose of
5 recording and reporting annual in-service training, pursuant to 12 NCAC 09E .0100:

- 6 (1) Form F-9, In-Service Compliance Report, shall include the following:
7 (a) agency name, phone number, and mailing address;
8 (b) title and signature of agency head or authorized representative and date signed; and
9 (c) name, Academy ID number, and home address for each officer that did not complete the
10 annual in-service training.
- 11 (2) Form F-9A, Firearms Qualification Record, shall include the following:
12 (a) officer's name and appointing agency;
13 (b) instructor's name and signature;
14 (c) date the classroom section was completed;
15 (d) officer's acknowledgment of qualification scores; and
16 (e) firearms score sheet, including each of the officer's qualification scores as verified by the
17 signature of a Commission-certified specialized instructor who was present during the
18 qualification.
- 19 (3) Form F-9B, Report of Non-Compliance of Mandatory In-Service Training, shall include the
20 following:
21 (a) officer's name, Academy ID number, home mailing address;
22 (b) agency name;
23 (c) whether the officer is requesting a medical waiver, a military waiver, or neither;
24 (d) name and signature of agency head or authorized representative;
25 (e) which annual in-service training topics the officer did not complete; and
26 (f) medical or military documentation attached, if applicable.
- 27 (4) Form F-9C, Return to Duty Request, shall include the following:
28 (a) officer's name and Academy ID number;
29 (b) agency name;
30 (c) officer's current certification status;
31 (d) completion date, number of credits, and topic for each block of in-service training
32 completed;
33 (e) name and signature of agency authorized representative and date signed; and
34 (f) military release orders, medical return to duty paperwork, or documentation of completion
35 of firearms qualification attached, if applicable.
- 36 (5) Form F-9D, Delayed Completion of Required MIST, shall include the following:
37 (a) officer's name and Academy ID number;

- 1 **(b)** agency name;
2 **(c)** completion date, number of credits, and topic, for each block of in-service training
3 completed; and
4 **(d)** name and signature of agency authorized representative and date signed.
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6 History Note: Authority G.S. 17C-6; 17C-10;
7 Eff. January 1, 2027.

1 12 NCAC 09B .0238 is proposed for amendment as follows:

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3 **12 NCAC 09B .0238 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR LIDAR**
4 **OPERATORS**

5 (a) The Lidar Operator Training Course for law enforcement officers shall be designed to provide the student with
6 the skills and knowledge to perform the function of a law enforcement lidar operator. This course shall be for a period
7 not to exceed four consecutive weeks, and shall consist of a minimum of ~~30~~ 8 hours of instruction and shall include
8 the following topic areas and minimum hours for each:

9	(1)	Course Orientation	0.5 Hours
10	(2)	Introduction to Lidar Training	0.5 Hours
11	(3)	Basic Principles of Lidar Speed Measurement	1 Hour
12	(4)	Legal and Operational Considerations	1 Hour
13	(5)	Familiarization and Operation of Specific Lidar Instruments	2 Hours
14	(6)	Courtroom Preparation	1 Hour
15	(7)	Motor-Skill Performance Testing	3 Hours <u>1 Hour</u>
16	(8)	Course Review	1 Hour

17 This course shall have a minimum ratio of one instructor per six students.

18 (b) To be eligible for enrollment in the Lidar Operator Training Course, applicants shall meet the following
19 requirements at the time of enrollment:

- 20 (1) have completed a Commission-approved Basic Law Enforcement Training (BLET) Course,
21 pursuant to 12 NCAC 09B .0205;
- 22 (2) hold active law enforcement certification; and
- 23 (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar
24 operator re-certification training course as outlined in 12 NCAC 09B .0212; or
- 25 (4) hold active radar instructor certification or be enrolled in a radar instructor training course or a radar
26 instructor re-certification training course as outlined in 12 NCAC 09B .0210.

27 Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, who do not meet
28 these requirements shall be allowed to participate in a Lidar Operator Training Course at the discretion of the school
29 director.

30 (c) The Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer
31 with the skills and knowledge to continue to perform the functions of a lidar operator. This course shall be presented
32 within a period not to exceed one week and shall consist of a minimum of four hours of instruction, including the
33 following topic areas and minimum hours for each:

34	(1)	Course Orientation	0.5 Hours
35	(2)	Legal and Operational Considerations	1 Hour
36	(3)	Motor-Skill Performance Testing	2.5 Hours

37 This course shall have a minimum ratio of one instructor per six students.

1 (d) To be eligible for enrollment in the Lidar Operator Re-Certification Training Course, applicants shall meet the
2 following requirements at the time of enrollment:

- 3 (1) hold active law enforcement certification;
- 4 (2) hold active lidar operator certification or have previously held active lidar operator certification
5 within the 12 months prior to the scheduled end date of the course; and
- 6 (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar
7 operator re-certification training course as outlined in 12 NCAC 09B .0212.

8 Federal law enforcement personnel who do not meet these requirements shall be allowed to participate in a Lidar
9 Operator Re-Certification Training Course at the discretion of the school director, but such personnel must have
10 completed one introductory-level speed measurement instrument course that included instruction on the operation of
11 lidar instruments. Courses that meet this requirement include those described in Paragraph (a) of this Rule and those
12 described in 12 NCAC 09B .0242(a).

13 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice
14 Standards Division shall allow additional time to complete a specific course delivery beyond the time limits set forth
15 in Paragraphs (a) and (c) of this Rule when the Director determines that doing so is necessary based on consideration
16 of the following factors:

- 17 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 18 (2) The risk of harm to students that may be caused by continuation of the course;
- 19 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
20 State of Emergency;
- 21 (4) The specific need for the waiver; and
- 22 (5) The degree of benefit to the public in allowing a break in instruction.

23 Notice of waivers granted pursuant to this Section shall be posted on the CJETS website, [https://ncdoj.gov/law-
24 enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall only apply to courses that
25 began or were in progress during the effective period of the State of Emergency.

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27 *History Note: Authority G.S. 17C-6;*
28 *Eff. May 1, 2004;*
29 *Amended Eff. November 1, 2007;*
30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
31 *2019;*
32 *Amended Eff. February 1, 2026; April 1, 2022;*
33 *Readopted Eff. October 1, 2026.*
34 *Amended Eff. January 1, 2027.*

1 12 NCAC 09E .0111 is being proposed for amendment as follows:

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3 **12 NCAC 09E .0111 COMPLETION OF ANNUAL IN-SERVICE TRAINING**

4 (a) Law enforcement officers certified by the North Carolina Criminal Justice Education and Training Standards
5 Commission shall complete annual in-service training as outlined in 12 NCAC 09E .0108.

6 (b) Failure to complete all topics required for the annual in-service training shall result in the law enforcement
7 officer's certification being summarily suspended, pursuant to 12 NCAC 09E .0108.

8 (c) All annual in-service training topics identified by the Commission shall be ~~taken~~ developed by the North
9 Carolina Justice Academy and completed in-person or through the North Carolina Justice Training and Certification
10 portal, or by a North Carolina community college. Training topics not developed by the North Carolina
11 Justice Academy, completed as agency 'topics of choice', may be developed and delivered in-person or virtually,
12 pursuant to 12 NCAC 09E .0108.

13 (d) All annual in-service training involving motor skills assessment and/or qualification shall be conducted in
14 person using certified Specialized Instructors, pursuant to 12 NCAC 09B .0304.

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

17 *Adoption Eff. October 1, ~~2025~~ 2025;*

18 *Amended Eff. January 1, 2027.*

1 12 NCAC 09B .0307 is proposed for repeal as follows:

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3 **12 NCAC 09B .0307 TERMS AND CONDITIONS OF PROFESSIONAL LECTURER**
4 **CERTIFICATION**

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

7 *Eff. January 1, 1981;*

8 *Amended Eff. January 1, 2006; July 1, 1991; January 1, 1985;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

10 *~~2019~~ 2019;*

11 *Repealed Eff. January 1, 2027.*

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1 12 NCAC 09B .0411 is proposed for repeal as follows:

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3 **12 NCAC 09B .0411 COMPREHENSIVE WRITTEN EXAM -- LOCAL CONFINEMENT FACILITY**

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5 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*

6 *Eff. June 1, 1986;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

8 *~~2019.~~ 2019.*

9 *Repealed Eff. January 1, 2027.*

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1 12 NCAC 09B .0412 is proposed for repeal as follows:

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3 **12 NCAC 09B .0412 SATISFACTION OF MINIMUM TRAINING -- LOCAL CONFINEMENT**
4 **FACILITY**

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6 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*

7 *Eff. June 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 *~~2019.~~ 2019;*

10 *Repealed Eff. January 1, 2027.*

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1 12 NCAC 09B .0201 is proposed for readoption with substantive changes as follows:

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3 **SECTION .0200 – MINIMUM STANDARDS FOR CRIMINAL JUSTICE SCHOOLS AND CRIMINAL**
4 **JUSTICE TRAINING PROGRAMS OR COURSES OF INSTRUCTION**

5
6 **12 NCAC 09B .0201 ADMINISTRATION OF CRIMINAL JUSTICE SCHOOLS**

7 (a) An institution or agency shall secure school accreditation pursuant to 12 NCAC 09C .0401 prior to offering any
8 criminal justice training course.

9 (b) Each institution or agency accredited by the Commission to administer Commission-accredited criminal justice
10 training programs shall designate one compensated staff member for each commission-accredited program for which
11 the institution or agency has been granted accreditation. Such staff member shall be certified by the Commission under
12 Section .0500 of this Subchapter to be the criminal justice School Director. The School Director shall have
13 administrative responsibility for planning, scheduling, presenting, coordinating, reporting, and managing each
14 sponsored accredited criminal justice training course. If the Commission-accredited institution or agency assigns
15 additional responsibilities to the certified School Director during the planning, development, and implementation of
16 an accredited basic recruit training course, a qualified assistant must be designated to assist the School Director in the
17 administration of the course. This person must be selected by the School Director and must attend a course orientation
18 conducted by Standards Division staff and attend the annual School Directors' Conference.

19 (c) The Commission-accredited institution or agency shall permanently maintain records of all criminal justice
20 training courses sponsored or delivered by the school, reflecting:

- 21 (1) course title;
- 22 (2) delivery hours of course;
- 23 (3) course delivery dates;
- 24 (4) names and addresses of instructors utilized within designated subject-matter areas;
- 25 (5) a roster of enrolled trainees, showing class attendance and designating whether each trainee's course
26 participation was successful or unsuccessful;
- 27 (6) copies of all rules, regulations and guidelines developed by the School Director;
- 28 (7) documentation of any changes in the initial course outline, including substitution of instructors; and
- 29 (8) documentation of make-up work achieved by each individual trainee, including test scores and
30 methods.

31 (d) The Commission-accredited institution or agency offering any criminal justice training program or course of
32 instruction shall meet or exceed the following specifications:

- 33 (1) acquire and allocate financial resources to provide commission certified instructors and to meet
34 other program expenses; and
- 35 (2) provide one designated clerical support person to assist the School Director in maintaining required
36 records, complete reports, and provide other clerical needs as required by the School Director.

1 (e) In the event an accredited institution or agency does not own the classrooms, physical training rooms, firing range,
2 or driving track required for training delivery, written agreements between entities involved shall be in place in order
3 to ensure access to and use of such facilities. A copy of such agreement must be on file for review by staff to the
4 Commission.

5 (f) The North Carolina Justice Academy is accredited by the Commission to administer the following Specialized
6 Instructor programs:

- 7 (1) Specialized Instructor – Compliance and Control Tactics;
- 8 (2) Specialized Instructor - Law Enforcement Firearms;
- 9 (3) Specialized Instructor – Law Enforcement Driver Training;
- 10 (4) Specialized Instructor – Physical Fitness; ~~and~~
- 11 (5) Specialized Instructor – Explosive and Hazardous ~~Emergencies.~~ Emergencies;
- 12 (6) RADAR Instructor and RADAR Instructor Recertification; and
- 13 (7) LIDAR Instructor and LIDAR Instructor Recertification.

14 (g) The North Carolina State Highway Patrol is accredited by the Commission to administer the Specialized Instructor
15 – Law Enforcement Driving Program.

16 (h) The North Carolina Department of Adult Correction (DAC) Office of Staff Development and Training is
17 accredited by the Commission to administer the DAC-Firearms Instructor and DAC-Controls, Restraints, and
18 Defensive Techniques programs.

19 (i) The North Carolina Department of Public Safety, Division of Juvenile Justice and Delinquency Prevention is
20 accredited by the Commission to administer the Juvenile Justice Specialized Instructor Training – Restraints, Controls,
21 and Defense Techniques program.

22
23 *History Note: Authority G.S. 17C-6;*
24 *Eff. January 1, 1981;*
25 *Amended Eff. November 1, 1981;*
26 *Readopted Eff. July 1, 1982;*
27 *Amended Eff. August 1, 2004; August 1, 2000; January 1, 1996; March 1, 1992; January 1, 1985;*
28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
29 *2019;*
30 *Amended Eff. November 1, ~~2024.~~ 2024;*
31 *Readopted Eff. January 1, 2027.*
32
33

1 12 NCAC 09B .0202 is being proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0202 RESPONSIBILITIES OF THE SCHOOL DIRECTOR**

4 (a) In planning, developing, coordinating, and delivering each Commission-certified criminal justice training
5 course, the School Director shall:

- 6 (1) Formalize and schedule the course curriculum in accordance with the curriculum standards
7 established in this Subchapter;
- 8 (2) Select and schedule instructors who are certified by the Commission, pursuant to 12 NCAC 09B
9 .0301;
- 10 (3) Ensure each instructor utilizes Commission approved lesson plans and instructional materials, as
11 specified in Rules .0205, .0209, .0210, ~~.0211~~, .0212, ~~.0213~~, ~~.0214~~, .0226, .0227, .0232, .0233,
12 .0235, .0236, .0237, .0238, .0241, .0313, .0314, or .0410 of this Subchapter;
- 13 (4) Arrange for the availability of audiovisual aids and materials, publications, facilities, and
14 equipment for training in all topic areas;
- 15 (5) Develop, reproduce, and distribute any requirements determined by the school to be necessary or
16 appropriate for:
- 17 (A) effective course delivery;
- 18 (B) establishing responsibilities and obligations of agencies or departments employing or
19 sponsoring course trainees; and
- 20 (C) regulating trainee participation and demeanor, ensuring trainee attendance, and
21 maintaining performance records;
- 22 (6) Administer the course delivery in accordance with Commission approved lesson plans, pursuant to
23 Subparagraph (a)(3) of this Rule;
- 24 (7) Maintain direct supervision, direction, and control over the performance of all persons to whom
25 any portion of the planning, development, presentation, or administration of a course has been
26 ~~delegated~~ delegated;
- 27 (8) Within 48 hours, notify the Division in writing of any schedule changes for an ongoing Commission-
28 approved course. Schedule changes include changes to training times, blocks of instruction, training
29 locations, and any other content included on the approved Pre-Delivery Report (F-10A) for the
30 course, as prescribed in 12 NCAC 09I .0102. Notification shall include an explanation of and
31 reasoning for the schedule change from the School Director or a qualified assistant.
- 32 (9) Within 48 hours, notify the Division of an instance of illness or injury requiring or resulting in
33 medical assistance or hospitalization of a student enrolled in a Commission-approved course.
34 Notification shall consist of a completed Student Injury Report pursuant to 12 NCAC 09I .0103 and
35 12 NCAC 09I .0105;
- 36 (10) Within five business days of the qualifying event, notify the Division in writing of:
37 (A) the removal by the School Director, school, training program, or employing institution of a

1 Commission-certified instructor from a Commission-accredited course delivery; or
2 (B) the opening by the school, training program, or employing institution of an internal
3 investigation, disciplinary proceeding, or pre-disciplinary proceeding which a Commission-
4 certified instructor is the subject of and which contains allegations that could constitute
5 conduct outlined in 12 NCAC 09B .0301(e) or could otherwise be considered a failure to
6 meet or maintain requirements for instructor certification, pursuant to 12 NCAC 09B .0300.

7 Written notification shall include the name of the instructor; name of the school or agency; name of the
8 Commission-accredited courses for which the instructor is planned to teach, currently teaching, or removed
9 from; dates and explanation of the qualifying event or conduct which resulted in the instructor's removal,
10 investigation, or proceeding; and explanation of action taken by the School Director, training program, or
11 school.

12 (b) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each
13 Commission-accredited Basic Law Enforcement Training Course, the School Director shall:

- 14 (1) Schedule course presentation to include 12 hours of instruction each week during consecutive
15 calendar weeks, except that there may be as many as six one-week breaks until course
16 requirements are completed. If the Governor declares a State of Emergency pursuant to G.S.
17 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional
18 breaks in a specific course delivery when the Director determines that doing so is necessary based
19 on consideration of the following factors:
- 20 (A) Whether instruction has begun in the course or whether course initiation may be
21 postponed;
 - 22 (B) The risk of harm to students that may be caused by continuation of the course;
 - 23 (C) Whether those enrolled in the course have been or will likely be called to action to help
24 address the State of Emergency;
 - 25 (D) The specific need for the waiver; and
 - 26 (E) The degree of benefit to the public in allowing a break in instruction. Notice of waivers
27 granted pursuant to the Section shall be posted on the CJETS website
28 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted
29 pursuant to this Section shall only apply to courses that began during the effective period
30 of the State of Emergency;
- 31 (2) Schedule only specialized instructors certified by the Commission to teach those high-liability
32 areas as specified in Rule .0304(a) of this Subchapter as either the lead instructor or as assistant
33 instructors or role players;
- 34 (3) With the exception of the First Responder, Officer Health and Wellness, Explosives and
35 Hazardous Materials Emergencies, and topical areas outlined in Rule .0304(a) of this Subchapter,
36 schedule one specialized instructor certified by the Commission for every six trainees while
37 engaged in a practical performance exercise;

- 1 (4) Schedule one specialized instructor certified by the Commission for every eight trainees while
2 engaged in a practical performance exercise in the topical areas ~~Subject Control Arrest Techniques~~
3 ~~or Compliance and Control Tactics~~;
- 4 (5) Schedule no single individual to instruct more than ~~35 percent of the total hours of the 640-hour~~
5 ~~curriculum or~~ 25 percent of the total hours of the 868-hour curriculum during any one delivery of
6 the Basic Law Enforcement Training Course presentation;
- 7 (6) Not less than 30 days before commencing delivery of the Basic Law Enforcement Training
8 Course, submit to the Commission a Pre-Delivery Report of Training Course Presentation
9 pursuant to 12 NCAC ~~09C .0211~~; 09I .0102;
- 10 (7) Submit a copy of any rules and requirements for the school. A copy of those rules shall also be
11 given to each trainee and to the executive officer of each trainee's employing or sponsoring agency
12 or department at the time the trainee enrolls in the course;
- 13 (8) Monitor, or designate an instructor certified by the Commission to monitor, a presentation of each
14 instructor once during each three year certification period in each topic taught by the instructor
15 and prepare a written evaluation on the instructor's performance and suitability for subsequent
16 instructional assignments. The observations shall be of sufficient duration to ensure that the
17 delivery is objective-based, documented by, and consistent with a Commission-approved lesson
18 plan, pursuant to Subparagraph (a)(3) of this Rule. For each topic area, the School Director's
19 evaluation shall be based upon the course delivery observations, the instructor's use of the
20 approved lesson plan, and the results of the student evaluations of the instructor. For probationary
21 instructors, the evaluations conducted by another instructor shall be prepared on the Criminal
22 Justice Instructor Evaluation (Form ~~F-16~~) F-16), pursuant to 12 NCAC 09I .0101, and forwarded
23 to the Commission. Based on this evaluation, the School Director shall recommend approval or
24 denial of requests for General Instructor Certification. For all other instructors, these evaluations
25 shall be prepared on the Criminal Justice Instructor Evaluation (Form F-16), be kept on file by the
26 school for a period of three years, and shall be made available for inspection by a representative of
27 the Commission upon request. In the event the evaluation of an instructor indicates that his or her
28 performance was less than acceptable, the School Director shall forward a copy of the evaluation
29 to the Commission. Any instructor who is evaluating the instructional presentation of another
30 instructor shall hold certification in the same instructional topic area as that for which the
31 instructor is being evaluated. ~~The Criminal Justice Evaluation (Form F-16) shall contain the~~
32 ~~following information:~~
- 33 (A) ~~— Instructor's name, date of birth, and Acadis ID number;~~
- 34 (B) ~~— Evaluator's name, and Acadis ID number;~~
- 35 (C) ~~— Block of Instruction, date, location, and total hours of instruction;~~
- 36 (D) ~~— Scores for Instructional Ability and Strategies; and~~
- 37 (E) ~~— Presentation Evaluation Criteria.~~

- 1 (9) Administer or designate a Qualified Assistant to administer course specific tests during course
2 delivery:
- 3 (A) to determine and record the level of trainee comprehension and retention of instructional
4 subject matter;
- 5 (B) to provide a basis for a final determination or recommendation regarding the minimum
6 degree of knowledge and skill of each trainee to function as an inexperienced law
7 enforcement officer; and
- 8 (C) to determine subject or topic areas of deficiency for the application of Rule ~~.0405(a)(3)~~
9 .0405(a) of this Subchapter; and
- 10 (10) Not more than 10 days after the conclusion of a school's offering of Basic Law Enforcement
11 Training, ensure all student test scores and class documents have been uploaded to the North
12 Carolina Justice Training and Certification portal, ~~Aeadis platform~~, and submit to the Commission
13 a Post-Delivery Report of Training Course Presentation (~~Form F-10B~~), (Web Form F-10B),
14 pursuant to 12 NCAC 09I .0102.
- 15 (c) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each
16 Commission-certified "Criminal Justice Instructor Training Course," the School Director shall:
- 17 (1) Schedule course presentation pursuant to Rule .0209 of this Subchapter;
- 18 (2) Schedule evaluators as follows:
- 19 (A) each evaluator, as well as the instructors, shall have completed a Commission-certified
20 instructor training course or an equivalent instructor training course utilizing the
21 Instructional Systems Design model, an international model with applications in
22 education, military training, and private enterprise; and
- 23 (B) each instructor and evaluator shall have completed an instructor training orientation
24 program presented by the North Carolina Justice Academy for purposes of familiarization
25 and supplementation relevant to delivery of the instructor training course and trainee
26 evaluation. The completion of an instructor training orientation program shall be
27 documented in the ~~Aeadis platform~~, North Carolina Justice Training and Certification
28 portal.
- 29 (3) Not fewer than 30 days before commencing delivery of the course, submit to the Commission a
30 Pre-Delivery Report of Training Course Presentation, Form F-10A, pursuant to 12 NCAC 09I
31 .0102, with the following attachments:
- 32 (A) a course schedule showing the arrangement of topical presentations and proposed
33 instructional assignments;
- 34 (B) the names and Academy ID ~~Aeadis identification~~ numbers of all instructors and
35 evaluators; and
- 36 (C) a copy of any rules and requirements for the school; and
- 37 ~~(4)(5)~~ Not more than 10 days after course completion, submit to the Commission a Post-Delivery Report

1 of Training Course Presentation Form F-10B, pursuant to 12 NCAC 09I .0102, containing the
2 following:

- 3 (A) class enrollment roster;
- 4 (B) a course schedule with the designation of instructors and evaluators utilized in delivery;
- 5 (C) scores recorded for each trainee on the 70 minute skill presentation; and
- 6 (D) designation of trainees who completed the course in its entirety.

7 (d) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each
8 Commission-certified RADAR, ~~RADAR and Time Distance, Time Distance, or LIDAR~~ RADAR/LIDAR, or
9 LIDAR speed measurement measuring instrument (SMI) operator training course or re-certification course, the
10 School Director shall:

- 11 (1) select and schedule ~~speed measurement instrument~~ SMI instructors who are certified by the
12 Commission as ~~instructors~~ instructors, pursuant to .0237 and .0308 of this Subchapter, for the
13 specific speed ~~measurement~~ measuring instruments in which the trainees are to receive instruction;
- 14 (2) not fewer than 30 days before the scheduled starting date, submit to the Director of the Standards
15 Division a Pre-Delivery Report of Training Course Presentation, Form F-10A, ~~that shall contain a~~
16 ~~period of course delivery including the proposed starting date, course location, requested date and~~
17 ~~location for the administration of the State exam, and the number of trainees to be trained on each~~
18 ~~type of approved speed measurement instrument;~~ pursuant to 12 NCAC 09I .0102, and
- 19 (3) upon completing delivery of the Commission-certified course, and not more than 10 days after the
20 conclusion of a school's offering of a ~~certified RADAR, RADAR and Time Distance, Time~~
21 ~~Distance, or LIDAR speed measurement~~ a RADAR, LIDAR, or RADAR/LIDAR operator
22 training course or re-certification course, the School Director shall notify the Commission
23 regarding the progress and achievements of each trainee by submitting a Post-Delivery Report of
24 Training Course Presentation, Form ~~F-10B~~, F-10B, pursuant to 12 NCAC 09I .0102. This report
25 shall include the original motor-skill examination ~~form(s)~~ forms completed and signed by the
26 certified instructor responsible for administering the motor-skill examination to the respective
27 trainee.

28
29 *History Note: Authority G.S. 17C-6;*
30 *Eff. January 1, 1981;*
31 *Amended Eff. November 1, 1981;*
32 *Readopted w/change Eff. July 1, 1982;*
33 *Amended Eff. January 1, 2015; June 1, 2013; April 1, 2009; November 1, 2007; January 1, 2006;*
34 *May 1, 2004; August 1, 2000; January 1, 1996; November 1, 1993; December 1, 1987; January 1,*
35 *1985;*
36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
37 *2019;*

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Amended Eff. January 1, 2025; April 1, 2022; July 1, 2021; January 1, 2021; July 1, ~~2020~~ 2020;
Readopted Eff. October 1, 2026.

1 12 NCAC 09B .0204 is proposed for re adoption with substantive changes as follows:

2
3 **12 NCAC 09B .0204 TRAINING COURSE ENROLLMENT**

4 (a) Any school offering a Commission-accredited Basic Law Enforcement Training Course shall have enrolled a
5 minimum of 10 trainees in the offering.

6 (b) Any school may make written request to the Director of the Standards Division to deliver the Commission-
7 accredited Basic Law Enforcement Training Course with no fewer than eight enrolled trainees. The Director shall
8 approve the request if it includes a summary of the efforts the school has made to notify its respective community of
9 the availability of the course and the reasons supporting the school's need to enroll fewer than 10 trainees, provided
10 that the summary includes attempts to notify, at a minimum, by social media and the school's website.

11 (c) The school ~~may~~ shall not enroll any trainee later than the initial day of delivery of a certified training course unless
12 the trainee's enrollment is pursuant to an authorization of limited enrollment in a subsequent course pursuant to Rule
13 .0405 of this Subchapter or pursuant to prescribed supplementary or remedial training required pursuant to Rule .0402
14 of this Subchapter.

15 (d) The school shall not enroll more than 18 trainees in a presentation of the "Criminal Justice Instructor Training
16 Course" as constituted under Rule .0209 of this Section.

17
18 *History Note: Authority G.S. 17C-6;*
19 *Eff. January 1, 1981;*
20 *Amended Eff. April 1, 2018; April 1, 2017; August 1, 2005; August 1, 2000; January 1, 1985;*
21 *November 1, 1981;*
22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
23 *2019;*
24 *Amended Eff. January 1, ~~2025~~ 2025;*
25 *Readopted Eff. January 1, 2027.*
26
27

1 12 NCAC 09B .0205 is being proposed for readoption with substantive changes as follows:

2

3 **12 NCAC 09B .0205 BASIC LAW ENFORCEMENT TRAINING**

4 (a) The basic training course for law enforcement officers shall consist of instruction designed to provide the trainee
5 with the skills and knowledge to perform those tasks essential to function in law enforcement.

6 (b) The course entitled "Basic Law Enforcement Training" shall consist of a minimum of 868 hours of instruction
7 and shall include the following identified topical areas and minimum instructional hours for each:

8	(1)	Module 1	
9		(A) Orientation	8 Hours
10		(B) Ethical Problem Solving	16 Hours
11		(C) Communication and De-escalation Skills	24 Hours
12		(D) Crisis Intervention: Interacting with Special Needs Populations	24 Hours
13		(E) Officer Health and Wellness	54 Hours
14		(F) Field Notes and Report Writing	16 Hours
15		(G) Arrest, Search, Seizure, and Constitutional Law	24 28 Hours
16		(H) Interviews and Interrogations	24 Hours
17		(I) Compliance and Control Tactics	64 Hours
18		(J) Firearms	96 <u>92</u> Hours
19		(K) Law Enforcement Driver Training	48 Hours
20		(L) First Responder	24 Hours
21	(2)	Module 2	
22		(A) Criminal Investigations	40 Hours
23		(B) Testifying in Court	16 Hours
24		(C) Responding to Crime Victims	8 Hours
25		(D) Person Crimes	16 Hours
26		(E) Property Crimes	16 Hours
27		(F) Crimes Against the Public	16 Hours
28		(G) Juvenile Laws and Procedures	12 Hours
29		(H) Domestic Violence	16 Hours
30		(I) Sexual Assaults	16 Hours
31		(J) Human Trafficking	4 Hours
32		(K) Hate Crimes	8 Hours
33		(L) Controlled Substances	16 Hours
34		(M) Missing Persons	4 Hours
35		(N) Deceased Persons	4 Hours
36	(3)	Module 3	
37		(A) Motor Vehicle Law	20 Hours

1	(B)	Traffic Law Enforcement	24 Hours
2	(C)	Traffic Crash Investigations	24 Hours
3	(D)	Standardized Field Sobriety Testing	28 Hours
4	(4)	Module 4	
5	(A)	Patrol Techniques	28 Hours
6	(B)	Crowd Management	16 Hours
7	(C)	Courtroom Security	8 Hours
8	(D)	Homeland Security	8 Hours
9	(E)	Rapid Deployment to an Active Attacker	16 Hours
10	(F)	Civil Process	24 <u>20</u> Hours
11	(G)	Transporting and Processing	8 Hours
12	(H)	Crime Prevention	4 Hours
13	(I)	Explosives and Hazardous Materials Emergencies	16 Hours
14	(J)	<u>Administrative Investigations</u>	<u>4 Hours</u>
15	(5)	Testing	30 Hours
16		Total Course Hours	868 Hours

17 ~~(e) This Rule does not apply to Basic Law Enforcement Training courses that were in progress as of January 1,~~
18 ~~2025.~~

19
20 *History Note: Authority G.S. 17C-6; 17C-10;*
21 *Eff. January 1, 1981;*
22 *Temporary Amendment Eff. December 14, 1983 for a period of 120 days to expire on April 12,*
23 *1984;*
24 *Amended Eff. January 1, 2019; July 1, 2018; January 1, 2018; July 1, 2017; July 1, 2016;*
25 *January 1, 2015; February 1, 2014; July 1, 2011; July 1, 2009; January 1, 2006; August 1, 2002;*
26 *August 1, 2000; November 1, 1998; July 1, 1997; January 1, 1995; February 1, 1991; July 1,*
27 *1989;*
28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
29 *2019;*
30 *Amended Eff. January 1, ~~2025.~~ 2025.*
31 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0209 is proposed for readoption with substantive changes as follows:

2

3 **12 NCAC 09B .0209 CRIMINAL JUSTICE INSTRUCTOR TRAINING**

4 (a) The Instructor Training course required for ~~General~~ Criminal Justice Instructor certification shall consist of a
5 minimum of 38 hours of classroom instruction, plus the time required to conduct practical exercises, student
6 presentations, and post testing. The Instructor Training course shall be presented during a period of no more than 15
7 business days. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the
8 Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director
9 determines that doing so is necessary based on consideration of the following factors:

- 10 (1) whether instruction has begun in the course or whether course initiation may be postponed;
- 11 (2) the risk of harm to students that may be caused by continuation of the course;
- 12 (3) whether those enrolled in the course have been or will likely be called into action to help address
13 the State of Emergency;
- 14 (4) the specific need for the waiver; and
- 15 (5) the degree of benefit to the public in allowing a break in instruction.

16 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website:
17 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section
18 shall only apply to courses that began during the effective period of the State of Emergency.

19 (b) Each Criminal Justice Instructor Training course shall include the following identified topic areas and minimum
20 instructional hours for each area:

- 21 (1) Orientation and Pre-Test 2 Hour
- 22 (2) Instructional Systems Design (ISD) 3 Hours
- 23 (3) Law Enforcement Instructor Liabilities and Legal Responsibilities 2 Hours
- 24 (4) Criminal Justice Instructional Leadership 4 Hours
- 25 (5) Lesson Plan Preparation: Professional Resources 2 Hours
- 26 (6) Lesson Plan Development and Formatting 3 Hours
- 27 (7) Adult Learning 2 Hours
- 28 (8) Instructional Styles and Platform Skills 5 Hours
- 29 (9) Classroom Management 3 Hours
- 30 (10) Active Learning: Demonstration and Practical Exercises 3 Hours
- 31 (11) The Evaluation Process of Learning 3 Hours
- 32 (12) Audio Visual Aids 5 Hours
- 33 (13) Course Closing and Post-test 1 Hour
- 34 (14) Completion of tasks associated with practical exercises, student presentations, and post ~~testing.~~

35 testing shall consist of a minimum of 24.5 hours. The Instructor Training School Director shall
36 determine the number of hours required to complete this portion of the curriculum. This decision
37 shall be based on the number of enrolled students, available facilities, and number of instructors.

1 ~~(c) The most current version of the "Instructor Training" manual published by the North Carolina Justice Academy~~
2 ~~shall be the curriculum for instructor training courses. Copies of this publication may be inspected at the agency:~~

3 Criminal Justice Standards Division
4 North Carolina Department of Justice
5 1700 Tryon Park Drive
6 Post Office Drawer 149
7 Raleigh, North Carolina 27602

8 ~~and may be purchased by cash, money order, or credit card, from the Academy bookstore at the following address:~~

9 ~~North Carolina Justice Academy~~
10 ~~Post Office Drawer 99~~
11 ~~Salemburg, North Carolina 28385~~

12
13 *History Note: Authority G.S. 17C-6;*
14 *Eff. January 1, 1981;*
15 *Amended Eff. July 1, 2018; April 1, 2018; January 1, 2018; January 1, 2015; December 1, 2009;*
16 *August 1, 2005; November 1, 1998; January 1, 1995; March 1, 1990; July 1, 1989; January 1,*
17 *1985;*
18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
19 *2019;*
20 *Amended Eff. December 1, 2023; April 1, 2022; July 1, 2021; January 1, ~~2021~~; 2021;*
21 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0225 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0225 BASIC TRAINING -- LOCAL CONFINEMENT PERSONNEL**

4 ~~(a) The basic training course for detention officers as prescribed in 12 NCAC 10B by the North Carolina Sheriffs'~~
5 ~~Education and Training Standards Commission is hereby incorporated by reference, and shall automatically include~~
6 ~~any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6 to be the minimum~~
7 ~~basic training course required for local confinement facility personnel. The "Detention Officer Certification Training~~
8 ~~Manual" as published by the North Carolina Justice Academy shall apply as the basic curriculum for local confinement~~
9 ~~facility personnel. Copies of this manual may be obtained by contacting the North Carolina Justice Academy, Post~~
10 ~~Office Box 99, Salemburg, North Carolina 28385-0099. The cost of this manual is forty dollars (\$40.00) per copy.~~

11 ~~(b) Notice of successful course completion issued by the Sheriffs' Standards Division shall be sufficient to satisfy this~~
12 ~~requirement.~~

13 (a) For the purposes of this Rule, Local Confinement Personnel shall include only designated officers and supervisory
14 personnel of a local confinement facility, operating as a partnering agency to house juveniles as prescribed by agreed
15 upon terms and conditions with the Division of Juvenile Justice and Delinquency Prevention pursuant to G.S.
16 153A-217 and 153A-218.

17 (b) Basic training for Local Confinement Personnel shall consist of the Juvenile Justice Officer Basic Training Course,
18 pursuant to .0236 of this Subchapter.

19 (c) To acquire successful completion of basic training, the trainee shall:

20 (1) complete the Basic Training Course for Juvenile Justice Officers; and

21 (2) achieve a passing score on the comprehensive state examination, pursuant to .0418 of this
22 Subchapter.

23
24 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*

25 *Eff. June 1, 1986;*

26 *Amended Eff. August 1, 1998; March 1, 1992;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
28 *2019; 2019;*

29 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0226 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0226 SPECIALIZED FIREARMS INSTRUCTOR TRAINING**

4 (a) The instructor training course for Specialized Firearms Instructor Training Certification shall consist of a minimum
5 of 50 hours of classroom and range instruction plus time required to complete the tasks associated with Range
6 Operations presented during a continuous period of not more than two weeks. If the Governor declares a State of
7 Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow
8 additional breaks in a specific course delivery when the Director determines that doing so is necessary based on
9 consideration of the following factors:

- 10 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 11 (2) The risk of harm to students that may be caused by continuation of the course;
- 12 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
13 State of Emergency;
- 14 (4) The specific need for the waiver; and
- 15 (5) The degree of benefit to the public in allowing a break in instruction.

16 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website [https://ncdoj.gov/law-](https://ncdoj.gov/law-enforcement-training/criminal-justice/)
17 [enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall only apply to courses that
18 began during the effective period of the State of Emergency.

19 (b) Each Specialized Firearms Instructor Training course shall be designed to provide the trainee with the skills and
20 knowledge to perform the function of a criminal justice firearms instructor in a Basic Law Enforcement Training
21 (BLET) Course or a law enforcement officer in-service firearms ~~training~~ qualification program.

22 (c) Each applicant for specialized firearms instructor training shall:

- 23 (1) have completed the criminal justice instructor training ~~course~~; course, pursuant to Rule .0209 of this
24 Subchapter;
- 25 (2) present a written endorsement by either:
- 26 (A) a certified school director indicating the student may be utilized to instruct firearms in the
27 Basic Law Enforcement Training Course; or
- 28 (B) ~~a department~~ an agency head, certified school director, or in-service training coordinator,
29 indicating the student may be utilized to instruct firearms in a law enforcement officer in-
30 service firearms ~~training~~ qualification program; and
- 31 (3) Once within 365 days prior to enrollment each prospective student shall demonstrate proficiency
32 during a qualification administered by the North Carolina Justice Academy. To successfully
33 complete this qualification each prospective student shall achieve a minimum score of 92 percent 2
34 out of 3 times on both the BLET Day and ~~Night~~ Low-Light Courses of Fire while using a 'Sam
35 Browne' type belt and security holster and agency-issued duty or ballistic-equivalent ammunition.

36 (d) Each Specialized Firearms Instructor Training course shall include the following identified topic areas and
37 minimum instructional hours for each area:

- | | | | |
|----|------|--|---------|
| 1 | (1) | Orientation/Pretest | 2 Hours |
| 2 | (2) | Range Operations | 2 Hours |
| 3 | (3) | Civil Liability | 4 Hours |
| 4 | (4) | Night Firing | 2 Hours |
| 5 | (5) | Combat Shooting Classroom and Range | 8 Hours |
| 6 | (6) | Mental Conditioning | 1 Hours |
| 7 | (7) | Shotgun Operation and Firing | 4 Hours |
| 8 | (8) | Service Handgun - Operation and Use | 8 Hours |
| 9 | (9) | Rifle - Operation and Maintenance | 4 Hours |
| 10 | (10) | Service Handgun - Maintenance and Cleaning | 2 Hours |
| 11 | (11) | Range Medical Emergencies | 2 Hours |
| 12 | (12) | In-Service Firearms Requirements | 2 Hours |
| 13 | (13) | BLET Lesson Plan Review | 1 Hour |
| 14 | (14) | Range Drills as defined in the Specialized Firearms Instructor | |
| 15 | | Training Manual and the Specialized Firearms Instructor Training | |
| 16 | | Course Management Guide | 8 Hours |
| 17 | (15) | Completion of tasks associated with Range Operations and Instructor <u>Practicums as follows shall</u> | |
| 18 | | <u>consist of a minimum of 24 hours overall; Practicums hours determined by number of students and</u> | |
| 19 | | <u>instructors:</u> | |
| 20 | (A) | Conduct a BLET Day Course of Fire <u>Fire</u> ; | |
| 21 | (B) | Conduct a BLET Night <u>Low-Light</u> Course of Fire <u>Fire</u> ; | |
| 22 | (C) | Conduct a Long Gun Course of Fire <u>Fire</u> ; and | |
| 23 | (D) | Develop a Combat Course of Fire <u>Fire</u> . | |

24 The School Director shall determine an increase to the minimum hours required to complete the
 25 practical skills associated with Range Operations and Instructor Practicums to ensure a minimum
 26 ratio of one instructor for every six trainees engaged in a practical skills exercise.

27 ~~(e) The "Specialized Firearms Instructor Training Manual" published by the North Carolina Justice Academy shall~~
 28 ~~be the curriculum for the Specialized Firearms Instructor Training course. Copies of this publication may be inspected~~
 29 ~~at the:~~

30 ~~Criminal Justice Standards Division~~
 31 ~~North Carolina Department of Justice~~
 32 ~~1700 Tryon Park Drive~~
 33 ~~Post Office Drawer 149~~
 34 ~~Raleigh, North Carolina 27610~~

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

36 ~~North Carolina Justice Academy~~
 37 ~~Post Office Box 99~~

(f)(c) The ~~Commission-certified~~ Commission-accredited school that is ~~certified~~ accredited to offer the "Specialized Firearms Instructor Training" course is the North Carolina Justice Academy.

History Note: Authority G.S. 17C-6;
Eff. May 1, 1986;
Amended Eff. January 1, 2015; February 1, 2013; August 1, 2006; August 1, 2000; November 1, 1998; August 1, 1995; February 1, 1991; March 1, 1990; July 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. April 1, 2022; January 1, ~~2021~~ 2021;
Readopted Eff. January 1, 2027.

1 12 NCAC 09B .0227 is proposed for readoption with substantive changes as follows:

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3 **12 NCAC 09B .0227 SPECIALIZED DRIVER INSTRUCTOR TRAINING**

4 (a) The instructor training course required for Specialized Driver Instructor Certification shall consist of a minimum
5 of 24 hours of classroom instruction plus the time required to conduct the tasks as required in the driver practicums
6 based on number of students, available facilities, and number of instructors.

7 (b) Each Specialized Driver Instructor Training course shall be designed to provide the trainee with the skills and
8 knowledge to perform the function of a criminal justice driver instructor in a Basic Law Enforcement Training Course
9 or a "Law Enforcement Officers' Annual In-Service Training Program."

10 (c) Each applicant for Specialized Driver Instructor Training shall:

11 (1) have completed the criminal justice ~~general~~ instructor training ~~course;~~ course, pursuant to Rule
12 .0209 of this Subchapter;

13 (2) present a written endorsement by either

14 (A) a certified school director indicating the student may be utilized to instruct driving in Basic
15 Law Enforcement Training Courses; or

16 (B) ~~a department~~ an agency head, certified school director, or in-service training coordinator,
17 indicating the student may be utilized to instruct driver training in the "Law Enforcement
18 Officer's Annual In-Service Training Program";

19 (3) possess a valid operator driver's license;

20 (4) maintain a safe driving record where no more than four points have been assigned against the driving
21 record within the past three years; and

22 (5) Within 365 days prior to enrollment in the Specialized Driver Instructor Training course, the
23 prospective student shall complete a qualification administered by the North Carolina Justice
24 Academy or the North Carolina State Highway Patrol Training Academy requiring the individual
25 to achieve minimum scores on the following Basic Law Enforcement Training driving course
26 exercises:

27 (A) minimum score of 85 percent on 2 out of 3 attempts on the Off-set Lane Maneuver,
28 Serpentine, and Precision Exercise during daylight conditions;

29 (B) minimum score of 85 percent on 2 out of 3 attempts on the Precision Exercise during
30 nighttime conditions;

31 (C) minimum score of 85 percent on one five-minute attempt during daytime conditions and
32 one five-minute attempt during nighttime conditions on the Emergency Response exercise;

33 (D) minimum score of 85 percent on one five-minute attempt during daytime conditions and
34 one five-minute attempt during nighttime conditions on the Pursuit Exercise; and

35 (E) score 100 percent on 2 out of 3 attempts on all phases of the Fixed Radius Curve and
36 Evasive Action Exercises.

1 (d) Each Specialized Driver Instructor Training course shall include the following identified topic areas and
2 instructional hours for each area:

- | | | | |
|----|------|---|---------|
| 3 | (1) | Orientation | 1 Hour |
| 4 | (2) | Lesson Plan Review (BLET) | 6 Hours |
| 5 | (3) | General Mechanical Knowledge | 2 Hours |
| 6 | (4) | Before - Operation Inspection | 1 Hour |
| 7 | (5) | Laws of Natural Force & Operating Characteristics | 3 Hours |
| 8 | (6) | Legal and Operational Considerations for the Driver Instructor | 4 Hours |
| 9 | (7) | Course Description Packet and Administrative Code Review | 2 Hour |
| 10 | (8) | Course Review | 1 Hour |
| 11 | (9) | Building Driving Courses | 4 Hours |
| 12 | (10) | Completion of tasks associated with the Driver <u>Practicums shall consist of a minimum of 40 hours.</u> | |
| 13 | | <u>Practicums. The number of hours required to complete this portion of the curriculum shall be based</u> | |
| 14 | | <u>on the number of enrolled students, available facilities, and number of instructors. The School</u> | |
| 15 | | <u>Director shall determine an increase to the minimum hours required to complete the practical skills</u> | |
| 16 | | <u>associated with Driver Practicums to ensure a minimum ratio of one instructor for every six trainees</u> | |
| 17 | | <u>engaged in a practical skills exercise.</u> | |

18 ~~(e) The "Specialized Driver Instructor Training Manual" as published by the North Carolina Justice Academy shall~~
19 ~~be the curriculum for Specialized Driver Instructor Training courses. Copies of this publication may be inspected at~~
20 ~~the:~~

21 Criminal Justice Standards Division
22 North Carolina Department of Justice
23 1700 Tryon Park Drive
24 Post Office Drawer 149
25 Raleigh, North Carolina 27610

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

27 North Carolina Justice Academy
28 Post Office Box 99
29 Salemburg, North Carolina 28385

30 ~~(f)(c) Commission certified~~ The Commission-accredited schools that are ~~certified~~ accredited to offer the "Specialized
31 Driver Instructor Training" course are The North Carolina Justice Academy and The North Carolina State Highway
32 Patrol Training Center.

33
34 *History Note: Authority G.S. 17C-6;*
35 *Eff. May 1, 1986;*

1 *Amended Eff. August 1, 2015; January 1, 2015; February 1, 2013; August 1, 2006; February 1,*
2 *2006; August 1, 2000; November 1, 1998; August 1, 1995; February 1, 1991; March 1, 1990; July*
3 *1, 1989;*

4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
5 *2019;*

6 *Amended Eff. January 1, ~~2021~~, 2021;*

7 *Readopted Eff. January 1, 2027.*

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1 12 NCAC 09B .0232 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0232 SPECIALIZED COMPLIANCE AND CONTROL TACTICS INSTRUCTOR**
4 **TRAINING**

5 (a) The instructor training course required for Specialized Compliance and Control Tactics Instructor Certification
6 shall consist of a minimum of ~~29~~ 27 hours of classroom instruction plus time required to complete the tasks associated
7 with Compliance and Control Tactics Instructional Methods and Demonstration, presented during a continuous period
8 of not more than two weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the
9 Director of the Criminal Justice Standards Division shall allow breaks in a specific course delivery when the Director
10 determines that doing so is necessary based on consideration of the following factors:

- 11 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 12 (2) The risk of harm to students that may be caused by continuation of the course;
- 13 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
14 State of Emergency;
- 15 (4) The specific need for the waiver; and
- 16 (5) The degree of benefit to the public in allowing a break in instruction.

17 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website [https://ncdoj.gov/law-](https://ncdoj.gov/law-enforcement-training/criminal-justice/)
18 [enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall only apply to courses that
19 began during the effective period of the State of Emergency.

20 (b) Each Specialized Compliance and Control Tactics Instructor Training course shall provide the trainee with the
21 skills and knowledge to perform the function of a criminal justice Specialized Compliance and Control Tactics
22 Instructor in the Commission-accredited Basic Law Enforcement Training Course or a Law Enforcement Officers'
23 Annual In-Service Training Program.

24 (c) Each applicant for Specialized Compliance and Control Tactics Instructor Training shall:

- 25 (1) have completed the Criminal Justice Instructor Training course, pursuant to 12 NCAC 09B .0209;
- 26 (2) present a letter from a physician, physician assistant, or nurse practitioner, who holds a current
27 license in the United States to practice medicine, as issued by a state medical board, stating the
28 applicant's physical fitness to participate in the course;
- 29 (3) present a written endorsement by either
30 (A) a certified School Director indicating the student is qualified to instruct Compliance and
31 Control Tactics in the Commission-accredited Basic Law Enforcement Training Course;
32 or
33 (B) ~~a Department~~ an Agency Head, certified School Director, or In-Service Training
34 Coordinator indicating the student may be utilized to instruct Compliance and Control
35 Tactics for the Law Enforcement Officers' Annual In-Service Training program; and

1 (4) Within 365 days prior to enrollment in the Compliance and Control Tactics Instructor Training
2 course the prospective student shall complete the following assessments administered by the North
3 Carolina Justice Academy:

4 (A) a qualification requiring the individual to demonstrate 100 percent proficiency on the Basic
5 Law Enforcement Training Compliance and Control Tactics; and

6 (B) achieve at least the 60th percentile on a physical fitness assessment.

7 (d) Each Specialized Compliance and Control Tactics Instructor Training course shall include the following identified
8 topic areas and minimum instructional hours for each area:

9	(1)	Orientation	1 Hour
10	(2)	Response to Injury	4 Hours <u>2 Hours</u>
11	(3)	Combat Conditioning	4 Hours <u>8 Hours</u>
12	(4)	Safety Guidelines/Rules	2 Hours <u>1 Hour</u>
13	(5)	Fundamentals of Professional Liability <u>Legal Considerations for</u>	4 Hours <u>2 Hours</u>
14		<u>Control Tactics Instructors</u>	
15	(6)	Practical Skills Enhancement	4 Hours <u>6 Hours</u>
16	(7)	<u>History of the Use of Force Training in NC</u>	<u>1 Hour</u>
17	(7) (8)	Student Instructional Practicum	6 Hours <u>4 Hours</u>
18	(8) (9)	BLET Lesson Plan Review	4 Hours <u>2 Hours</u>
19	(10)	<u>Practical skills associated with Compliance and Control Tactics, Instructional Methods, and</u>	
20		<u>Demonstrations shall consist of a minimum of 40 hours. The School Director shall determine an</u>	
21		<u>increase to the minimum hours required to complete the practical skills to ensure a minimum ratio</u>	
22		<u>of one instructor for every eight trainees engaged in a practical skills exercise.</u>	

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24 *History Note:* Authority G.S. 17C-6;
25 Eff. February 1, 1987;
26 Amended Eff. February 1, 2016; January 1, 2015; February 1, 2013; December 1, 2009; August
27 1, 2006; August 1, 2000; November 1, 1998; August 1, 1995; March 1, 1990; July 1, 1989; Pursuant
28 to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
29 Amended Eff. January 1, 2025; April 1, 2022; January 1, ~~2021~~ 2021;
30 Readopted Eff. January 1, 2027.

1 12 NCAC 09B .0233 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0233 SPECIALIZED PHYSICAL FITNESS INSTRUCTOR TRAINING**

4 (a) The instructor training course required for Specialized Physical Fitness Instructor Certification shall consist of a
5 minimum of 47 hours of classroom and field ~~instruction, plus the tasks associated with Physical Fitness Assessments,~~
6 ~~Exercise Programs, and Instructional Methods, presented~~ instruction, including practical skills tasks, during a
7 continuous period of not more than two weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-
8 19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course
9 delivery when the Director determines that doing so is necessary based on consideration of the following factors:

- 10 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 11 (2) The risk of harm to students that may be caused by continuation of the course;
- 12 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
13 State of Emergency;
- 14 (4) The specific need for the waiver; and
- 15 (5) The degree of benefit to the public in allowing a break in instruction.

16 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website [https://ncdoj.gov/law-](https://ncdoj.gov/law-enforcement-training/criminal-justice/)
17 [enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall only apply to courses that
18 began during the effective period of the State of Emergency.

19 (b) Each Specialized Physical Fitness Instructor Training course shall be designed to provide the trainee with the
20 skills and knowledge to perform the function of a criminal justice physical fitness instructor in a Basic Law
21 Enforcement Training Course or a Law Enforcement Officers' Annual In-Service Training Program.

22 (c) Each applicant for specialized physical fitness training shall:

- 23 (1) qualify through one of the following three options:
 - 24 (A) have completed the criminal justice ~~general~~ instructor training ~~course;~~ course, pursuant to
25 Rule .0209 of this Subchapter;
 - 26 (B) hold a current and valid North Carolina Teacher's Certificate, hold a baccalaureate degree
27 in physical education, and be teaching in physical education topics; or
 - 28 (C) be presently instructing physical education topics in a community college, college, or
29 university and possess a baccalaureate degree in physical education;
- 30 (2) present a written endorsement by either:
 - 31 (A) a certified School Director indicating the student may be utilized to instruct physical fitness
32 in Basic Law Enforcement Training Courses; or
 - 33 (B) a certified School Director, or In-Service Training Coordinator indicating the student may
34 be utilized to instruct physical fitness for the Law Enforcement Officers' In-Service
35 Training Program;
- 36 (3) present a letter from a physician stating fitness to participate in the course; and

1 (4) Within 365 days prior to enrollment complete a qualification administered by the North Carolina
2 Justice Academy requiring the individual to:

3 (A) complete Scenario #1 of the Police Officer Physical Abilities Test (POPAT) in no more
4 than six minutes;

5 (B) complete Scenario #2 of the POPAT in no more than three minutes; and

6 (C) complete a physical fitness assessment achieve at a minimum percentile score of 60.

7 (d) Each Specialized Physical Fitness Instructor Training course shall include the following identified topic areas and
8 minimum instructional and practical hours for each area:

9 (1) Orientation 1 Hour

10 (2) Physical Fitness Sessions 6 Hours

11 (3) Physical Fitness Assessments, Exercise Programs, and Instructional Methods 14 Hours

12 (4) Injury Care and Prevention 4 Hours

13 (5) Nutrition 7 Hours

14 (6) Civil Liability 3 Hours

15 (7) CVD Risk Factors 3 Hours

16 (8) Developing In-Service Wellness Programs and Validating Fitness Standards 4 Hours

17 (9) Lesson Plan Review 2 Hours

18 (10) Exercise Leadership 3 Hours

19 ~~(11) Completion of tasks associated with Physical Fitness Assessments, Exercise Programs, and~~
20 ~~Instructional Methods. The number of hours required to complete this portion of the curriculum~~
21 ~~shall be determined by number of students, number of instructors, and available facilities.~~

22 ~~(e) The "Physical Fitness Instructor Training Manual" as published by the North Carolina Justice Academy shall be~~
23 ~~the curriculum for specialized physical fitness instructor training courses. Copies of this publication may be inspected~~
24 ~~at the:~~

25 ~~Criminal Justice Standards Division~~
26 ~~North Carolina Department of Justice~~
27 ~~1700 Tryon Park Drive~~
28 ~~Post Office Drawer 149~~
29 ~~Raleigh, North Carolina 27610~~

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

31 ~~North Carolina Justice Academy~~
32 ~~Post Office Box 99~~
33 ~~Salemburg, North Carolina 28385~~

34 ~~(e)~~ (e) The Commission-certified school that is certified to offer the "Specialized Physical Fitness Instructor Training"
35 course is the North Carolina Justice Academy.

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

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Eff. July 1, 1989;
Amended Eff. February 1, 2016; January 1, 2015; February 1, 2013; December 1, 2009; August 1,
2006; August 1, 2002; August 1, 2000; November 1, 1998; March 1, 1990; August 1, 1985.
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
2019;
Amended Eff. April 1, 2022; January 1, ~~2021~~ 2021;
Readopted Eff. January 1, 2027.

1 12 NCAC 09B .0235 is proposed for readoption with substantive changes as follows:

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12 NCAC 09B .0235 BASIC TRAINING – JUVENILE COURT COUNSELORS AND CHIEF COURT COUNSELORS

(a) ~~The basic training course for Juvenile Court Counselors and Chief Court Counselors~~ Counselors, to include Chief Court Counselors, training course shall consist of instruction designed to provide the trainee with the skills and knowledge to perform essential job functions as a Juvenile Court Counselor. The course shall consist of a minimum of 119 hours of classroom and practical skills instruction. instruction, to include the following course topics:

- (1) Juvenile Behavior Interventions and Psychomotor Skills;
- (2) Defensive Protection;
- (3) Trauma Informed Programming and Theory;
- (4) Juvenile Court Operations, Intake, Supervision, and Services;
- (5) Juvenile Law;
- (6) Statutory Responsibilities and Requirements of Juvenile Court Counselors; and
- (7) Assessing Risk and Needs.

(b) Trainees who have completed the minimum 117 hour training program accredited by the Commission pursuant to .0236 of this Subchapter who transfer from a Juvenile Justice Officers position to a Juvenile Court Counselors position shall be required to complete an abbreviated course designed to provide the trainee with the skills and knowledge to perform those tasks essential to function as a Juvenile Court Counselor. This abbreviated course shall consist of a minimum of 36 hours of instruction and include the following course topics:

- (1) Trauma Informed Programming Theory;
- (2) Juvenile Court Operations, Intake, Supervision, and Services;
- (3) Juvenile Law;
- (4) Statutory Responsibilities and Requirements of Juvenile Court Counselors; and
- (5) Assessing Risk and Needs.

~~(b) Each basic training course for Juvenile Court Counselors shall include training in the following topic areas:~~

- ~~(1) Juvenile Justice Common Core:~~
 - ~~(A) Basic Individual Counseling Skills 5 hours~~
 - ~~(B) Interpersonal Communication Skills 5 hours~~
 - ~~(C) Working with Families 3 hours~~
 - ~~(D) Characteristics of Delinquents 4 hours~~
 - ~~(E) Staff and Juvenile Relationships: Maintaining Professional Boundaries 4 hours~~
 - ~~(F) Gang Awareness 2 hours~~
 - ~~(G) Situational Awareness and Risk Assessment 4 hours~~
 - ~~(H) Restraints, Controls, and Defensive Techniques 28 hours~~
 - ~~(I) Mechanical Restraints 4 hours~~

1	(J) Youth Mental Health First Aid	8 hours
2	(K) Think Trauma	8 hours
3	(L) Driver and Secure Transport Safety	4 hours
4	(M) Racial and Ethnic Disparities (RED) Addressing RED within the	
5	Juvenile Justice System	2 hours
6	(N) Verbal De-escalation for Juvenile Justice	2 hours
7	Total Hours	83 hours
8	(2) Juvenile Court Counselor Specific:	
9	(A) Statutory Responsibilities and Requirements of Juvenile	
10	Court Counselors	6 hours
11	(B) Juvenile Law	8 hours
12	(C) Intake, Supervision and Services	8 hours
13	(D) Risk and Needs Assessment	6 hours
14	(E) Report Writing and Documentation	8 hours
15	Total Hours	36 hours
16	Total Course Hours	119 hours

17 (c) Upon completion of a Commission-certified training course for Juvenile Court Counselors and Chief Court
18 Counselors, the Director of the school conducting the ~~course~~ course, or his or her designee, shall notify the
19 Commission of training completion by submitting a Report of Training Course Completion Form (F-11), pursuant to
20 12 NCAC 09I .0108, for each trainee. ~~The Report of Training Course Completion, F 11, identifies the student,~~
21 ~~student's social security number, date of birth, employing agency, position, date of appointment, and course~~
22 ~~information, to include title of course, location course was conducted at, the dates the course began and ended, the~~
23 ~~hours the course was conducted, number of instructional contact hours, and name of certifying official regarding the~~
24 ~~successful completion of the training course.~~

25 (d) ~~Employees of the Division of Juvenile Justice and Delinquency Prevention who have completed the minimum~~
26 ~~119 hour training program accredited by the Commission pursuant to Rule .0236 of this Section after January 1, 2013~~
27 ~~who transfer from a Juvenile Justice Officer position to a Juvenile Court Counselor position shall be required to~~
28 ~~complete only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Court~~
29 ~~Counselor under Subparagraph (b)(2) of this Rule.~~

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31 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10;
32 Temporary Adoption Eff. April 15, 2003;
33 Eff. April 1, 2004;
34 Amended Eff. July 1, 2017; July 1, 2016; August 1, 2015; May 1, 2014;
35 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
36 2019;
37 Amended Eff. May 1, 2025; March 1, 2024; January 1, ~~2022~~; 2022;

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Readopted Eff. January 1, 2027.

1 12 NCAC 09B .0236 is proposed for readoption with substantive changes as follows:

2

3 **12 NCAC 09B .0236 BASIC TRAINING - JUVENILE JUSTICE OFFICERS**

4 (a) The Juvenile Justice Officer training course shall consist of instruction designed to provide the trainee with the
5 skills and knowledge to perform essential job functions as a Juvenile Justice Officer. The course shall consist of a
6 minimum of 117 hours of ~~classroom and practical skills instruction.~~ Instruction and include the following course
7 topics:

- 8 (1) Juvenile Behavior Interventions and Psychomotor Skills;
- 9 (2) Defensive Protection;
- 10 (3) Trauma Informed Programming and Theory;
- 11 (4) Juvenile Justice Facility Operations and Treatments;
- 12 (5) Contraband and Search Techniques;
- 13 (6) Health Services; and
- 14 (7) Population Management in Confined Settings.

15 (b) Trainees who have completed the minimum 119 hour training program accredited by the Commission pursuant
16 to 12 NCAC 09B .0235 who transfer from a Juvenile Court Counselors position to a Juvenile Justice Officers position
17 shall be required to complete an abbreviated course designed to provide the trainee with the skills and knowledge to
18 perform those tasks essential to function as a Juvenile Justice Officer. This abbreviated course shall consist of a
19 minimum of 34 hours of instruction and include the following course topics:

- 20 (1) Trauma Informed Programming and Theory;
- 21 (2) Juvenile Justice Facility Operations and Treatment;
- 22 (3) Contraband and Search Techniques;
- 23 (4) Health Services; and
- 24 (5) Population Management in Confined Settings.

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

- 27 ~~(1) Juvenile Justice Common Core:~~
- 28 ~~(A) Basic Individual Counseling Skills 5 hours~~
- 29 ~~(B) Interpersonal Communication Skills 5 hours~~
- 30 ~~(C) Working with Families 3 hours~~
- 31 ~~(D) Characteristics of Delinquents 4 hours~~
- 32 ~~(E) Staff and Juvenile Relationships: Maintaining 4 hours~~
- 33 ~~Professional Boundaries~~
- 34 ~~(F) Gang Awareness 2 hours~~
- 35 ~~(G) Situational Awareness and Risk Assessment 4 hours~~
- 36 ~~(H) Restraints, Controls, and Defensive Techniques 28 hours~~
- 37 ~~(I) Mechanical Restraints 4 hours~~

1	(J) Youth Mental Health First Aid	8 hours
2	(K) Think Trauma	8 hours
3	(L) Driver and Secure Transport Safety	4 hours
4	(M) Racial and Ethnic Disparities (RED) Addressing RED within the	
5	Juvenile Justice System	2 hours
6	(N) Verbal De-escalation for Juvenile Justice	2 hours
7	Total Hours	83 hours
8	(2) Juvenile Justice Officer Specific:	
9	(A) Treatment Program Operations	4 hours
10	(B) Maintaining Documentation of Activities and Behaviors	8 hours
11	(C) Basic Group Leadership Skills	4 hours
12	(D) Effective Behavior Management	10 hours
13	(E) Health Services Overview	2 hours
14	(F) Contraband and Search Techniques	2 hours
15	(G) Suicide Prevention and Response	4 hours
16	Total Hours	34 hours
17	Total Course Hours	117 hours

18 (c) Upon completion of a Commission-certified training course for Juvenile Justice Officers the Director of the school
19 conducting the ~~course~~ course, or his or her designee, shall notify the Commission of the training completion by
20 submitting a Report of Training Course Completion Form (F-11), pursuant to 12 NCAC 091 .0108, for each trainee.
21 The requirements for completion of the Report of Training Course Completion, F 11, is outlined in 12 NCAC 09B
22 .0235.

23 (d) ~~Employees of the Division of Juvenile Justice and Delinquency Prevention who have completed the minimum~~
24 ~~117 hour training program accredited by the Commission under Rule .0235 of this Section after January 1, 2013 who~~
25 ~~transfer from a Juvenile Court Counselor position to a Juvenile Justice Officer position shall be required to complete~~
26 ~~only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Justice Officer~~
27 ~~pursuant to Subparagraph (b)(2) of this Rule.~~

28
29 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*
30 *Temporary Adoption Eff. April 15, 2003;*
31 *Eff. April 1, 2004;*
32 *Amended Eff. July 1, 2017; July 1, 2016; August 1, 2015; May 1, 2014;*
33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
34 *2019;*
35 *Amended Eff. May 1, 2025. 2025;*
36 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0241 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0241 JUVENILE JUSTICE SPECIALIZED INSTRUCTOR TRAINING –**
4 **RESTRAINTS, CONTROLS AND DEFENSIVE TECHNIQUES**

5 (a) The instructor training course requirement for the Department of Public Safety, Division of Juvenile Justice and
6 Delinquency Prevention Restraints, Controls and Defensive Techniques (RCDT) Specialized Instructor certification
7 shall consist of at least 70 hours of instruction presented during a continuous period of not more than two weeks.

8 (b) Each Juvenile Justice Specialized Instructor Training – Restraints, Controls and Defensive Techniques course
9 shall be designed to provide the trainee with the skills and knowledge to perform the function of the Juvenile Justice
10 Restraints, Controls and Defensive Techniques Instructor in the basic training course for Juvenile Court Counselors
11 course per .0235 of this Subchapter, the basic training course for Juvenile Justice Officers per .0236 of this Subchapter,
12 "Basic Training for Juvenile Justice Officers" course and the "Basic Training for Juvenile and Chief Court Counselors"
13 courses, as well as in-service training courses for juvenile justice officers and juvenile and chief court ~~counselors.~~
14 counselors as determined by the Department of Public Safety, Division of Juvenile Justice and Delinquency
15 Prevention.

16 (c) Each applicant for enrollment in the Juvenile Justice Specialized Instructor Training – Restraints, Controls and
17 Defensive Techniques RCDT course shall:

- 18 (1) Have completed the criminal justice ~~general~~ instructor training ~~course;~~ course, pursuant to .0209 of
19 this Subchapter; and
20 (2) Possess a valid CPR certification that includes cognitive and skills testing.

21 (d) Each Juvenile Justice Specialized Instructor Training – ~~Restraints, Controls and Defensive Techniques RCDT~~
22 course shall include the following course topics: identified topical areas:

- 23 ~~(1) Orientation;~~
24 ~~(2)~~(1) Introduction to Restraints, Controls and Defensive techniques;
25 ~~(3)~~(2) Physical ~~Fitness/Warm-Up~~ Fitness, Warm-Up and Stretching Exercises;
26 ~~(4)~~(3) Response to Injury;
27 ~~(5)~~(4) Restraints, Controls and Defensive Techniques Basic Techniques;
28 ~~(6)~~(5) Restraint Applications; and
29 ~~(7)~~(6) RCDT Program ~~Student Trainee~~ Evaluation and Testing Testing.

30 (e) The Commission-certified school that is certified to offer the Juvenile Justice Specialized Instructor Training –
31 Restraints, Controls and Defensive Techniques course is the Department of Public Safety, Division of Juvenile Justice
32 and Delinquency Prevention, Office of Staff Development and Training of the North Carolina Department of Public
33 Safety.

34
35 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*
36 *Eff. December 1, 2004;*
37 *Amended Eff. May 1, 2014;*

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*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
~~2019.~~ 2019;
Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0302 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0302 ~~GENERAL~~ CRIMINAL JUSTICE INSTRUCTOR CERTIFICATION**

4 (a) A ~~General~~ Criminal Justice Instructor Certification issued after December 31, 1984, shall be limited to those topics
5 that are not expressly incorporated under the Specialized Instructor Certification category. Individuals certified under
6 the ~~general~~ criminal justice instructor category shall not teach any of the subjects specified in Rule .0304 of this
7 Section, entitled "Specialized Instructor Certification."

8 (b) To qualify for issuance of Probationary Criminal Justice Instructor Certification, an applicant shall demonstrate a
9 combination of education and experience in criminal justice and proficiency in the instructional process by meeting
10 the following requirements:

11 (1) Present documentary evidence showing that the applicant:

12 (A) is a high school, college, or university graduate or has received a high school equivalency
13 credential as recognized by the issuing state; and

14 (B) has acquired four years of practical experience as a Criminal Justice Officer, an
15 administrator or specialist in a field related to the criminal justice system, or as an employee
16 of a Criminal Justice Agency;

17 (2) Present evidence showing completion of a Commission-accredited criminal justice instructor
18 training program or an equivalent instructor training ~~course-~~ course, as described in Paragraph (f) of
19 this Rule; and

20 (3) Achieve a passing score on the comprehensive written examination administered by the
21 Commission, as required by Rule .0413(d) of this Subchapter.

22 ~~(b)(c)~~ Applications for Probationary Criminal Justice Instructor Certification shall be submitted to the Standards
23 Division within 60 days of the date the applicant passed the State comprehensive examination administered at the
24 conclusion of the Commission-accredited criminal justice instructor training program.

25 ~~(e)(d)~~ Persons having completed a Commission-accredited training course and not having submitted the application
26 within 60 days of the date the applicant passed the State comprehensive examination shall not be eligible for
27 Probationary Criminal Justice Instructor Certification until the individual completes ~~complete~~ a subsequent
28 Commission-accredited criminal justice instructor training course in its entirety by completing the requirements in
29 Paragraph ~~(a)~~ (b) of this Rule.

30 ~~(d)(e)~~ Out-of-State applicants having completed an equivalent instructor training course and who are certified or have
31 been certified within two years prior to the submission of application to the Standards Division as an instructor in a
32 Criminal Justice Program, as verified by the respective State Police Officer Standards and Training (POST) or Federal
33 Law Enforcement Training Center FLETC or military POST organization, are eligible to apply for Probationary
34 Criminal Justice Instructor Certification upon achieving a passing score of 75 percent on the comprehensive written
35 examination administered by the Commission, as required by Rule .0413(d) of this Subchapter. The application shall
36 be submitted to the Standards Division within 60 days of the date the applicant passed the State comprehensive
37 examination.

1 ~~(e)~~(f) The Standards Division staff shall evaluate the out-of-state applicant's combined training and experience to
2 determine if the combined training and experience is equivalent to or exceeds the requirements for Probationary
3 Criminal Justice Instructor certification as prescribed in Subparagraphs ~~(a)(1)~~ (b)(1) and (2) of this Rule and includes
4 course topics in instructional leadership, liability, teaching adults, presentation styles, and written lesson plan
5 preparation.

6 ~~(f)~~(g) Applicants for Speed Measuring Instrument Instructor courses shall possess ~~probationary~~ Probationary or
7 General Criminal Justice Instructor Certification.

8
9 *History Note: Authority G.S. 17C-6;*

10 *Eff. January 1, 1981;*

11 *Amended Eff. October 1, 2017; January 1, 2017; February 1, 2016; January 1, 2015; January 1,*
12 *2006; May 1, 2004; August 1, 2000; July 1, 1991; December 1, 1987; October 1, 1985; January 1,*
13 *1985;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
15 *2019;*

16 *Amended Eff. February 1, ~~2020~~ 2020;*

17 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0303 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0303 TERMS AND CONDITIONS OF ~~GENERAL~~ CRIMINAL JUSTICE INSTRUCTOR**
4 **CERTIFICATION**

5 (a) An applicant meeting the requirements for certification as a ~~general~~ criminal justice instructor shall be in
6 probationary status for a period not to exceed 12 months, until satisfying the requirements of Paragraph (b) of this
7 Rule.

8 (b) The probationary criminal justice instructor shall be eligible for general criminal justice instructor certification if
9 the instructor submits to the Commission the following forms:

10 (1) a Form F-12, pursuant to 12 NCAC ~~09B .0301~~, 09I .0101, signed by a certified School Director ~~or~~
11 or In-Service Training Coordinator, indicating a favorable recommendation; and

12 (2) a Form F-16, Commission Instructor Evaluation Form, pursuant to 12 NCAC ~~09B .0202~~ 09I .0101,
13 indicating the Instructor taught a minimum of eight hours of Commission-accredited basic training,
14 Commission-recognized in-service training ~~course~~, course per 12 NCAC 09E .0100, or training
15 course pursuant to 12 NCAC 10B .0601, ~~12 NCAC 10B .1302~~, or ~~12 NCAC 10B .2005~~, during the
16 probationary period. The Instructor shall achieve a minimum of 64 points on all instruction
17 evaluations submitted to the Commission.

18 (c) Probationary Criminal Justice Instructors may request an extension of up to one year to teach the eight hour
19 minimum requirement. The Director may grant the requested extension for just cause based upon the circumstances
20 that created the need for an extension. For purposes of this Rule, "just cause" includes an accident, illness, emergency,
21 or course cancellation that precluded the instructor from fulfilling the teaching requirement.

22 (d) The term of certification as a General Criminal Justice Instructor is indefinite, provided the instructor completes
23 during each calendar year a minimum of one hour of instructor refresher training provided by North Carolina Justice
24 Academy. Probationary criminal justice instructors and general criminal justice instructors earning their initial
25 certification are not required to complete ~~this~~ the refresher training in the year they are awarded their certification.

26 (e) If an instructor fails to meet the requirements of Paragraph (d) of this Rule, the certification period for the instructor
27 shall cease, and the instructor shall be required to complete the requirements of Rule .0302 of this Section in order to
28 obtain probationary criminal justice instructor status.

29 (f) The use of guest participants in a delivery of the Basic Law Enforcement Training Course is permissible. However,
30 such guest participants shall be supervised on-site by a Commission-certified instructor and must be authorized by the
31 School Director. A guest participant shall only be used to complement the primary ~~certified~~ Commission-certified
32 instructor of the block of instruction and shall not replace or act as the primary instructor.

33 ~~(g) "Commission recognized in service training" shall mean training meeting the following requirements:~~

34 ~~(1) training is taught by an instructor certified by the Commission;~~

35 ~~(2) training utilizes a lesson plan in the Instructional Systems Design format; and~~

36 ~~(3) completion of training shall be demonstrated by a passing score on a written test as follows:~~

- 1 ~~(A) — a written test comprised of at least five questions per credit shall be developed by the~~
2 ~~agency or the North Carolina Justice Academy for each in-service training topic requiring~~
3 ~~testing. Written courses that are more than four credits in length are required to have a~~
4 ~~written test comprising of a minimum of 20 questions. The Firearms Training and~~
5 ~~Qualifications In Service Course is exempt from this written test requirement;~~
6 ~~(B) — a student shall pass each test by achieving at least 70 percent correct answers; and~~
7 ~~(C) — a student who completes a topic of in-service training in a traditional classroom setting or~~
8 ~~online and fails the end of topic exam shall be given one attempt to re-test. If the student~~
9 ~~fails the exam a second time, the student shall complete the in-service training topic in a~~
10 ~~traditional classroom setting before taking the exam a third time.~~
11 ~~(D) — Topics delivered pursuant to 12 NCAC 09E .0104(1) shall not require written testing.~~

12
13 *History Note:* *Authority G.S. 17C-6;*
14 *Eff. January 1, 1981;*
15 *Amended Eff. January 1, 2017; December 1, 2007; November 1, 2007; August 1, 2006; January 1,*
16 *2006; August 1, 2000; July 1, 1991; October 1, 1985; January 1, 1985; January 1, 1983;*
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
18 *2019;*
19 *Amended Eff. October 1, 2025; July 1, 2020; August 1, 2019; 2019;*
20 *Readopted Eff. January 1, 2027.*
21
22

1 12 NCAC 09B .0304 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0304 SPECIALIZED INSTRUCTOR CERTIFICATION**

4 (a) The Commission shall issue a Specialized Instructor Certification to an applicant who has developed specific
5 motor skills and abilities by virtue of special training and demonstrated experience in one or more of the following
6 topical areas:

- 7 (1) Compliance and Control Tactics;
- 8 (2) First Responder;
- 9 (3) Firearms;
- 10 (4) Law Enforcement Driver Training;
- 11 (5) Physical Fitness;
- 12 (6) Restraint, Control and Defense Techniques (Department of Public Safety, Division of Juvenile
13 ~~Justice~~; Justice and Delinquency Prevention);
- 14 (7) Medical Emergencies (Department of Public Safety, Division of Juvenile ~~Justice~~; Justice and
15 Delinquency Prevention);
- 16 (8) Explosive and Hazardous Materials Emergencies; or
- 17 (9) Standardized Field Sobriety Testing.

18 (b) To qualify for and maintain Specialized Instructor Certification in a topical areas area outlined in Subparagraph
19 (a)(1) through (a)(8) of this Rule, an applicant shall possess a valid CPR Certification that includes cognitive and skills
20 testing, through the American Red Cross, American Heart Association, American Safety and Health Institute, or
21 National Safety Council.

22 (c) An applicant shall achieve a minimum score of ~~75~~ 80 percent on the comprehensive ~~written~~ state exam, as specified
23 in Rule .0414 of this Subchapter, in order to qualify for Specialized Instructor Certification in the following topical
24 areas:

- 25 (1) Compliance and Control Tactics;
- 26 (2) Firearms;
- 27 (3) Law Enforcement Driver Training;
- 28 (4) Physical Fitness; and
- 29 (5) Explosive and Hazardous Materials Emergencies.

30 (d) To qualify for Specialized Instructor Certification in the Compliance and Control Tactics topical area, an applicant
31 shall meet the following requirements:

- 32 (1) Hold ~~General probationary or general Criminal Justice~~ Instructor Certification, ~~either probationary~~
33 ~~status or full general instructor status~~, as specified in Rule .0303 of this Section;
- 34 (2) Complete the Commission-approved specialized Compliance and Control Tactics instructor ~~course~~;
35 course, as specified in Rule .0232 of this Subchapter; and
- 36 (3) Obtain the recommendation of a Commission-certified school director or in-service training
37 coordinator.

1 (e) To qualify for Specialized Instructor Certification in the First Responder topical area, an applicant shall satisfy
2 become certified through one of the following two ~~options~~ methods:

3 (1) The first ~~option~~ method is:

4 (A) ~~Hold CPR instructor certification through the American Red Cross, American Heart~~
5 ~~Association, American Safety and Health Institute, or National Safety Council;~~

6 (B)(A) Hold, or have held, basic Emergency Medical Technician certification;

7 (C)(B) Have completed the Department of Transportation's 40 hour EMT Instructor Course or
8 equivalent within the last three years or hold a North Carolina Professional Educator's
9 License, issued by the Department of Public Instruction; and

10 (D)(C) Obtain the recommendation of a Commission-certified school director or in-service
11 training coordinator.

12 (2) The second ~~option~~ method is:

13 (A) Hold General probationary or general Criminal Justice Instructor Certification, ~~either~~
14 ~~probationary status or full general instructor status~~, as specified in Rule .0303 of this
15 Section;

16 (B) ~~Hold CPR instructor certification through the American Red Cross, American Heart~~
17 ~~Association, American Safety and Health Institute or National Safety Council;~~

18 (C)(B) Hold, or have held, basic EMT certification; and

19 (D)(C) Obtain the recommendation of a Commission-certified school director or in-service
20 training coordinator.

21 (f) To qualify for Specialized Instructor Certification in the Firearms topical area, an applicant shall meet the following
22 requirements:

23 (1) Hold General probationary or general Criminal Justice Instructor Certification, ~~either probationary~~
24 ~~status or full general instructor status~~, as specified in Rule .0303 of this Section;

25 (2) Complete the instructor training course for Specialized Firearms Instructor Training Certification as
26 specified in Rule .0209 of this Subchapter; and

27 (3) Obtain the recommendation of a Commission-certified school director or in-service training
28 coordinator.

29 (g) To qualify for Specialized Instructor Certification in the Law Enforcement Driver Training topical area, an
30 applicant shall meet the following requirements:

31 (1) Hold General probationary or general Criminal Justice Instructor Certification, ~~either probationary~~
32 ~~status or full general instructor status~~, as specified in Rule .0303 of this Section;

33 (2) Complete the instructor training course for Specialized Driver Instructor Certification as specified
34 in Rule .0227 of this Subchapter; and

35 (3) Obtain the recommendation of a Commission-certified school director or in-service training
36 coordinator.

1 (h) To qualify for Specialized Instructor Certification in the Physical Fitness topical area, an applicant shall become
2 certified through one of the following two methods:

3 (1) The first method is:

4 (A) hold ~~General probationary or general Criminal Justice~~ Instructor Certification, ~~either~~
5 ~~probationary status or full general instructor status~~, as specified in Rule .0303 of this
6 Section;

7 (B) complete the instructor training course required for Specialized Physical Fitness Instructor
8 Certification as specified in Rule .0233 of this Subchapter; and

9 (C) obtain the recommendation of a Commission-certified School Director.

10 (2) The second method is:

11 (A) Complete the instructor training course required for Specialized Physical Fitness Instructor
12 Certification as specified in Rule .0233 of this Subchapter;

13 (B) obtain the recommendation of a Commission-certified School director or in-service
14 training coordinator; and

15 (C) meet one of the following qualifications:

16 (i) hold a valid North Carolina Professional Educator's License, issued by the
17 Department of Public Instruction, and hold a baccalaureate degree in physical
18 ~~education~~, education; or

19 (ii) be presently instructing physical education topics in a community college,
20 college, or university and hold a baccalaureate degree in physical education.

21 (i) To qualify for Specialized Certification in the Standardized Field Sobriety Testing topical area, an applicant shall:

22 (1) Be certified by the North Carolina Department of Health and Human Services, Forensic Test for
23 Alcohol Branch, as a Standardized Field Sobriety ~~Instructor~~, Instructor; and

24 (2) Obtain the recommendation of a Commission-certified school director or in-service training
25 coordinator.

26 (j) To qualify for Specialized Instructor Certification in the Department of Public Safety, Division of Juvenile Justice
27 Restraint, Control and Defense Techniques topical area, an applicant shall meet the following requirements:

28 (1) Hold ~~General probationary or general Criminal Justice~~ Instructor Certification, ~~either probationary~~
29 ~~status or full general instructor status~~, as specified in Rule .0303 of this Section;

30 (2) Complete the instructor training course for the Department of Public Safety, Division of Juvenile
31 Justice Restraints, Controls and Defensive Techniques Specialized Instructor Certification as
32 specified in Rule .0241 of this Subchapter; and

33 (3) Obtain the recommendation of a Commission-certified school director.

34 (k) To qualify for Specialized Instructor Certification in the Department of Public Safety, Division of Juvenile Justice
35 Medical Emergencies topical area, an applicant shall meet the following requirements:

36 (1) Have completed a ~~Commission-certified~~ Commission-accredited criminal justice ~~basic~~ instructor
37 training course or an equivalent instructor training course, pursuant to Rule .0302 of this Section,

1 utilizing the Instructional Systems Design model, an international model with applications in
2 education, military training, and private enterprise; and

3 (2) ~~Hold instructor certification in CPR and First Aid by the American Red Cross, American Heart~~
4 ~~Association, American Safety and Health Institute, or National Safety Council; and~~

5 (3)(2) Obtain the recommendation of a Commission-certified school director.

6 (l) To qualify for Specialized Instructor Certification in the Explosive and Hazardous Materials Emergencies topical
7 area, an applicant shall satisfy one of the following two options:

8 (1) The first option is:

9 (A) hold ~~General~~ probationary or general Criminal Justice Instructor Certification, ~~either~~
10 ~~probationary status or full general instructor status~~, as specified in Rule .0303 of this
11 Section;

12 (B) Complete the instructor training course for Specialized Explosives and Hazardous
13 Materials Instructor Certification as specified in Rule .0417 of this Subchapter; and

14 (C) obtain the recommendation of a Commission-certified school director or in-service training
15 coordinator.

16 (2) The second option is:

17 (A) have completed the Fire Service Instructor Methodology Course or the equivalent utilizing
18 the Instructional Systems Design model, an international model with applications in
19 education, military training, and private enterprise;

20 (B) Complete the instructor training course for Specialized Explosives and Hazardous
21 Materials Instructor Certification as specified in Rule .0417 of this Subchapter; and

22 (C) obtain the recommendation of a Commission-certified school director or in-service training
23 coordinator.

24
25 *History Note: Authority G.S. 17C-6;*

26 *Eff. January 1, 1981;*

27 *Amended Eff. August 1, 2000; July 1, 1991; March 1, 1990; July 1, 1989; December 1, 1987;*

28 *Temporary Amendment Eff. January 1, 2001;*

29 *Amended Eff. January 1, 2015; June 1, 2013; April 1, 2009; August 1, 2006; January 1, 2006;*
30 *December 1, 2004; August 1, 2002;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
32 *2019;*

33 *Amended Eff. January 1, ~~2025-2025~~;*

34 *Readopted Eff. October 1, 2026.*

1 12 NCAC 09B .0305 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0305 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR**
4 **CERTIFICATION**

5 (a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0304 of this
6 Section shall be issued a certification to expire three years from the date of issuance.

7 (b) The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant
8 achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training course.

9 (c) The instructor is required to instruct, within three years after Specialized Instructor Certification is issued, a
10 minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted. The instruction
11 shall be provided in a Commission-approved basic training, Specialized Instructor ~~Training~~, Training per Rule .0304
12 of this Section, Commission-recognized in-service training ~~course~~, per 12 NCAC 09E .0100, training delivered
13 pursuant to 12 NCAC 09F .0100 or 09H .0100, or training ~~course~~ delivered pursuant to 12 NCAC 10B .0601, .1302,
14 or .2005. Credit under this Rule shall also be given for hours of instruction provided to students by Specialized
15 Firearms Instructors on the firearms range during a BLET or in-service firearms qualification course per 12 NCAC
16 09E .0106.

17 (d) An application for certification renewal shall contain, in addition to the requirements listed in Rule .0304 of this
18 Section, documentary evidence that the applicant has remained active in the instructional process during the previous
19 three-year period. Such documentary evidence shall include the following:

- 20 (1) proof that the applicant has, within the three-year period preceding application for renewal,
21 instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was
22 granted, and that instruction was provided as outlined in Paragraph (c) of this Rule. ~~in a~~
23 ~~Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-~~
24 ~~service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or~~
25 ~~.2005~~. Acceptable documentary evidence shall include official Commission records submitted by
26 School Directors or In-Service Training Coordinators and written attestation from a School Director
27 or In-Service Training Coordinator;
- 28 (2) proof that the applicant has, within the three-year period preceding application for renewal, attended
29 and completed all instructor updates that have been issued by the Commission. Acceptable
30 documentary evidence shall include official Commission records submitted by School Directors or
31 In-Service Training Coordinators, or copies of certificates of completion issued by the institution
32 which provided the instructor updates;
- 33 (3) a favorable written recommendation from a School Director or In-Service Training Coordinator
34 completed on an Application for Instructor and Professional Lecturer Certification Form (Form F-
35 12), pursuant to 12 NCAC 09I ~~.0101(a)(1)~~, .0101, stating the instructor taught at least 12 hours in
36 each of the topics for which Specialized Instructor Certification was granted. The teaching shall
37 have been provided as outlined in Paragraph (c) of this Rule; ~~in a Commission-approved basic~~

1 ~~training, Specialized Instructor Training course, pursuant to Rule 12 NCAC 09C .0401,~~
2 ~~Commission recognized in service training course, or training course delivered pursuant to 12~~
3 ~~NCAC 09F .0101, 12 NCAC 09H, 12 NCAC 10B .0601, .1302, or .2005;~~

- 4 (4) a favorable written evaluation by a School Director, Qualified Assistant, In-Service Training
5 Coordinator, or another Specialized Instructor certified in the same specialized subject, based on an
6 on-site classroom evaluation of a presentation by the instructor in a ~~Commission approved basic~~
7 ~~training, Specialized Instructor Training, Commission recognized in service training course, or in-~~
8 ~~service training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005~~ course outlined
9 in Paragraph (c) of this Rule during the three-year period of Specialized Instructor Certification.
10 Such evaluation shall be presented on a Criminal Justice Instructor Evaluation Form F-16, pursuant
11 to Rule .0202 of this Subchapter, and 12 NCAC 09I ~~.0101(a)(2);~~ .0101;
- 12 (5) proof that the individual applying for renewal as a Specialized Firearms Instructor has achieved a
13 minimum score of 92 on the day and night Basic Law Enforcement Training firearms qualification
14 courses, administered by a certified Specialized Firearms Instructor, within the three-year period
15 preceding the application for renewal;
- 16 (6) proof that the individual applying for renewal as a Specialized Physical Fitness Instructor has passed
17 the Basic Law Enforcement Training Police Officer Physical Abilities Test, administered by a
18 certified Specialized Physical Fitness Instructor, within the three-year period preceding the
19 application for renewal;
- 20 (7) proof that the individual applying for renewal as a Specialized Driver Instructor has achieved the
21 following minimum scores ~~Instructor~~ within the three-year period preceding the application for
22 renewal. The individual applying for renewal must achieve a minimum score of 85 on two out of
23 three attempts for the "Off-Set Lane Maneuver" and "Serpentine" courses during the daytime, a
24 minimum score of 85 on two out of three attempts for the "Precision" course during both day and
25 night evaluation, a score of "Pass" on two out of three attempts for each command for the "Evasive
26 Action/Maneuver" course during the daytime, and a score of ~~Pass~~ "Pass" on two out of three attempts
27 in each direction for the "Fixed Radius Curve" course during the daytime. Evaluations shall be
28 administered by a certified Specialized Driving Instructor;
- 29 (8) proof that the individual applying for renewal as a Specialized Compliance and Control Techniques
30 (CCT) Instructor ~~(CCT)~~ has satisfactorily completed the technique evaluations skills of the Basic
31 Law Enforcement Training CCT course, administered by a certified Specialized CCT Instructor,
32 within the three-year period preceding the application for renewal; and
- 33 (9) Acceptable documentary evidence for proof of completion requirements as specified in Part (d)(3)-
34 (8) of this Rule shall include the practical skill assessment submitted by School Directors or In-
35 Service Training Coordinators and written attestation from a School Director or In-Service Training
36 Coordinator.

1 (e) Certification as a Specialized Instructor in the Standard Field Sobriety Testing, First Responder, Physical Fitness,
2 Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topic areas as outlined in Rule
3 .0304(e), (h), (k), and (l) of this Section shall remain in effect for ~~36 months~~ three years from the date of issuance.
4 During the ~~36-month term~~ three-year period all non-Commission certificates required in Rule .0304(e), (h), (k), and
5 (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First Responder,
6 Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topical areas shall
7 be maintained.

8 (f) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-
9 year period to teach the 12 hour minimum requirement, pursuant to Paragraph (b) of this Rule. The Director may grant
10 such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident,
11 illness, emergency, course cancellation, or other exceptional circumstances which precluded the instructor from
12 fulfilling the teaching requirement.

13 (g) Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal
14 documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to
15 teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized Instructor
16 outlined in 12 NCAC 09B .0304(a). The Director may, for just cause, grant an extension of the 90-day period in which
17 an instructor's renewal application must be submitted, however, such extension shall not exceed 12 months and shall
18 not extend the instructor's certification period beyond its specified expiration ~~period~~ date.

19 (h) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a three
20 year ~~time~~ period from when his or her Specialized Instructor Certification expired are eligible to apply for re-issuance
21 of the previously held Specialized Instructor Certification. An application for re-issuance shall contain documentation
22 that the applicant:

- 23 (1) holds a current ~~General~~ Criminal Justice Instructor certification;
- 24 (2) has completed the pre-qualification skills assessment for that specialty;
- 25 (3) has passed the state examination for that specialty with a minimum score of ~~75~~; 80; and
- 26 (4) has maintained non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this
27 Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First
28 Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical
29 Emergencies topical areas, if applicable.

30 (i) Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the
31 prequalification skills assessment ~~and the state examination~~ for that specialty. Applicants for re-issuance of the
32 Specialized Instructor Certification shall have one opportunity for re-examination on the comprehensive state exam
33 for that specialty, as outlined in Rule .0414 of this Section. Should an applicant not achieve a passing score either on
34 ~~either~~ the prequalification skills assessment or on the state examination and re-examination for that specialty, the
35 applicant shall complete the specific Specialized Instructor Course in its entirety.

36 (j) Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance.

1 (k) After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty
2 where re-issuance of certification is sought, as documented on an F-16, pursuant to 12 NCAC 09I .0101. ~~Form located~~
3 ~~on the agency's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.~~ The
4 eight hours of instruction shall be taught within 60 days of the Specialized Instructor Certification being reissued and
5 evaluated by a Specialized Instructor certified in that specialty. Failure to complete the required eight hours of
6 evaluated instruction will result in the reissued Specialized Instructor Certification being revoked.

7
8 *History Note: Authority G.S. 17C-6;*
9 *Eff. January 1, 1981;*
10 *Amended Eff. January 1, 2017; February 1, 2016; August 1, 2015; May 1, 2014; June 1, 2012;*
11 *November 1, 2007; January 1, 2006; December 1, 2004; August 1, 2004; August 1, 2000; July 1,*
12 *1991; July 1, 1989; December 1, 1987; February 1, 1987;*
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
14 *2019;*
15 *Amended Eff. February 1, 2026; January 1, 2025; May 1, 2023; January 1, 2022; January 1, 2020;*
16 *August 1, ~~2019-2019~~;*
17 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0306 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0306 PROFESSIONAL LECTURER CERTIFICATION**

4 (a) The Commission may issue Professional Lecturer Certification to a person in a profession, who, by virtue of
5 academic degrees and professional expertise has developed special knowledge in one or more of the following areas:

- 6 (1) ~~Law~~ Law;
7 (2) ~~Psychology~~ Psychology; or
8 (3) ~~Medicine~~ Medicine.

9 (b) To be eligible for ~~such~~ Professional Lecturer certification, an applicant shall:

- 10 (1) Have attained a degree from an institution of higher learning accredited by an accreditation agency
11 recognized by the United States Department of Education in a subject listed in Paragraph (a) of this
12 Rule;
13 (2) Obtain the endorsement of a ~~Commission recognized~~ Commission-certified School Director or In-
14 Service Training Coordinator on a completed Form F-12, pursuant to 12 NCAC 09I .0101. who
15 ~~shall:~~
16 (A) ~~recommend the applicant for certification as a professional lecturer; and~~
17 (B) ~~describe the applicant's expected participation, topical areas, duties, and responsibilities in~~
18 ~~a delivery of Commission-certified training conducted by the school; and~~
19 (C) ~~describe the attributes showing the applicant to be a beneficial contributor to the delivery~~
20 ~~or presentation in a Commission-certification training program.~~

21 (c) Certification as a Professional Lecturer shall remain effective for 36 months from the date of issuance.

22 (d) During the 36-month period of certification, a certified professional lecturer may participate as an instructor in
23 the Commission-accredited training courses and course topics for which certification is granted.

24
25 *History Note: Authority G.S. 17C-6;*

26 *Eff. January 1, 1981;*

27 *Amended Eff. January 1, 2006; July 1, 1991; January 1, 1985;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
29 *~~2019.~~ 2019;*

30 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0308 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0308 RADAR INSTRUCTOR CERTIFICATION AND RE-CERTIFICATION**
4 **REQUIREMENTS**

5 (a) A person participating in a Commission-approved RADAR Operator or RADAR Instructor Training Course as an
6 Instructor shall meet the following requirements for RADAR Instructor Certification:

7 (1) Initial Certification:

- 8 (A) must be employed or appointed as a law enforcement officer by a state or local law
9 enforcement agency or be a federal law enforcement officer;
- 10 (B) if the applicant is a deputy sheriff, he/she must be in total compliance with the standards
11 established by the North Carolina Sheriff's Education and Training Standards Commission;
- 12 (C) must hold ~~Probationary or General~~ Criminal Justice Instructor Certification as required in
13 12 NCAC 09B .0302;
- 14 (D) must hold current RADAR Operator Certification pursuant to 12 NCAC 09C .0308;
- 15 (E) must complete the Commission-approved RADAR Instructor Training Course as required
16 in 12 NCAC 09B .0210;
- 17 (F) must obtain the recommendation of a Commission-certified school director or agency
18 executive officer or their designee; and
- 19 (G) shall not instruct in any RADAR Instructor/Operator or RADAR Instructor/Operator Re-
20 certification Courses until their Certification is received from the Commission.

21 (2) Re-certification:

- 22 (A) must hold current ~~Probationary or General~~ Criminal Justice Instructor Certification as
23 required in 12 NCAC 09B .0302;
- 24 (B) must hold current Radar Operator Certification, pursuant to 12 NCAC 09C .0308;
- 25 (C) must complete the Commission-approved RADAR Instructor Re-Certification Training
26 Course, pursuant to 12 NCAC 09B .0210;
- 27 (D) must have been certified as a RADAR Instructor within the three years preceding the
28 completion of the RADAR Instructor Re-Certification Course;
- 29 (E) ~~has~~ must have participated in the classroom instruction and motor skill performance testing
30 in the RADAR Operator Training Course, pursuant to 12 NCAC 09B .0212, during the
31 previous certification period; and
- 32 (F) must obtain the recommendation of a Commission-certified school director, agency
33 executive officer, or their designee.

34 (b) Those individuals who have previously held RADAR Instructor Certification and have not exceeded a six year
35 time period from when his or her RADAR Instructor Certification expired are eligible to ~~reapply~~ apply for reissuance
36 of the previously held RADAR Instructor Certification. An application for re-issuance shall contain documentation
37 that the applicant:

- 1 (1) holds current ~~Probationary or General~~ Criminal Justice Instructor Certification, pursuant to 12
- 2 NCAC 09B .0302;
- 3 (2) has completed the pre-qualification skills assessments;
- 4 (3) ~~must complete~~ has completed the Commission-approved RADAR Instructor Re-Certification
- 5 Training Course, pursuant to 12 NCAC 09B .0210;
- 6 (4) has passed the RADAR Instructor comprehensive state examination with a minimum score of 80;
- 7 75; and
- 8 (5) has obtained the recommendation of a Commission-certified school director, agency executive or
- 9 their designee.

10 (c) Applicants for re-issuance of the RADAR Instructor Certification shall have one opportunity to pass the

11 prequalification skills assessment and the RADAR Instructor Comprehensive State Examination. Should an applicant

12 not achieve a passing score on either the prequalification skills assessment or RADAR Instructor Comprehensive State

13 Examination, the applicant shall complete the RADAR Operator and RADAR Instructor Course in its entirety.

14 (d) Applicants whose RADAR Instructor Certification is suspended or revoked shall not qualify for re-issuance.

15 (e) The term of a RADAR Instructor is three years from the date of issuance. All RADAR Instructors seeking re-

16 certification shall complete the RADAR Instructor Re-certification Course, as outlined in 12 NCAC 09B .0218, within

17 12 months of the expiration of the initial certification period. The 12-month period does not extend the RADAR

18 Instructor Certification period.

19 Note: If Time Distance speed measuring instruments are reinstated for use at any point between years 2026 and 2036,

20 individuals who currently hold a RADAR Instructor Certification and have previously held a Time/Distance Instructor

21 Certification will be grandfathered and eligible to reinstate their Time/Distance Instructor Certification.

22

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

24 *Eff. November 1, 1981;*

25 *Readopted Eff. July 1, 1982;*

26 *Amended Eff. January 1, 2006; April 1, 1984;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

28 *2019;*

29 *Amended Eff. October 1, ~~2025~~ 2025;*

30 *Readopted Eff. October 1, 2026.*

1 12 NCAC 09B .0313 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0313 CERTIFICATION AND TRAINING FOR SCHOOL RESOURCE OFFICERS**

4 (a) A ~~"School~~ School Resource Officer (SRO) is defined as any law enforcement officer assigned to one or
5 more public schools within a local school administrative unit, as defined in G.S. 115C-5(6), who works in a school
6 at least 20 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) Law enforcement officers assigned by their agency to perform duties as a School Resource Officer shall:

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

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

35 (d) The agency head shall submit to the Criminal Justice Standards Division a Form F-20 Commission School
36 Resource Officer Assignment Form, pursuant to 12 NCAC 09I .0111. ~~Form for the person(s) selected to act as a~~
37 ~~School Resource Officer for the agency. The Form F-20 is located on the agency's website: <https://ncdoj.gov/law>~~

1 enforcement training/criminal justice/forms and publications/#91-114-wpfd-law-enforcement—and—must—be
2 completed in its entirety. The Commission School Resource Officer Assignment Form consists of the following:

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

10 (e) The term of certification as a School Resource Officer shall be indefinite, provided the School Resource Officer
11 completes during each calendar year a one hour basic School Resource Officer refresher training authored by North
12 Carolina Justice Academy. For School Resource Officers who complete the basic SRO training requirement in 2020
13 or earlier, this requirement shall be effective January 1, 2021. For SROs, this requirement shall be effective the year
14 following the officer's successful completion of the basic School Resource Officer Training course. A certified
15 School Resource Officer who has not completed the refresher training during a calendar year as established by this
16 Rule shall not work in a school as a School Resource Officer until the officer has completed the required refresher
17 training as established by this Rule. Any refresher training deficiency must be made up on or before January 31st of
18 the following calendar year.

19 (f) Instructors who teach a basic SRO course in an in-person traditional classroom format will receive credit toward
20 the completion of the basic SRO course requirement as required by this Rule, provided that they pass all required
21 tests. tests required by the SRO Training Manual authored by the North Carolina Justice Academy. Instructors shall
22 have their instruction documented by the Department Head or In-Service Training Coordinator once completed.

23 (g) The basic School Resource Officer Training course for law enforcement officers shall provide the trainee with
24 the skills and knowledge to perform in the capacity of a School Resource Officer. The basic School Resource
25 Officer Training Course authored by the North Carolina Justice Academy shall be used as the curriculum for this
26 training course. Copies of this publication may be inspected at the office of the agency:

27 Criminal Justice Standards Division
28 North Carolina Department of Justice
29 1700 Tryon Park Drive
30 Post Office Drawer 149
31 Raleigh, North Carolina 27602

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

34 North Carolina Justice Academy
35 Post Office Drawer 99
36 Salemburg, North Carolina 28385

1 *History Note: Authority G.S. 17C-6; 17C-10;*
2 *Eff. October 1, 2018;*
3 *Amended Eff. August 1, 2021; October 1, 2019.*
4 *Readopted Eff. January 1, 2027.*
5

1 12 NCAC 09B .0314 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0314 CERTIFICATION OF DIVERSION INVESTIGATORS AND SUPERVISORS**

4 (a) The diversion training courses for investigators and supervisors shall provide the trainee with the skills and
5 knowledge to perform the duties of a law enforcement Diversion Investigator or Supervisor. The diversion training
6 course for investigators shall be 20 classroom hours delivered utilizing the Prescription Drug Diversion Investigator
7 Certification Course developed by the North Carolina State Bureau of Investigation and North Carolina Justice
8 Academy. The diversion training course for supervisors shall be administered in a four hour online training course
9 utilizing the Prescription Drug Diversion Supervisor Certification Course developed by the North Carolina State
10 Bureau of Investigation and North Carolina Justice Academy. To be certified as a Diversion Investigator or Diversion
11 Supervisor the trainee shall complete the respective diversion training course and achieve a minimum score of 70
12 percent on the comprehensive written or online examination. The examination shall be an objective test covering the
13 topic areas contained in the accredited course curriculum.

14 (b) Applications for Diversion Investigator or Diversion Investigator Supervisor Certification shall be submitted to
15 the Standards Division within 60 days of the date the applicant passed the State comprehensive examination
16 administered at the conclusion of the Commission-accredited diversion training program. Persons having completed
17 the Commission-accredited diversion training course and not having submitted the application within 60 days of the
18 date the applicant passed the State comprehensive examination shall complete a subsequent Commission-accredited
19 diversion training course in its entirety.

20 (c) Only a Sheriff, deputy sheriff, or law enforcement officer certified or appointed through the North Carolina
21 Criminal Justice Education and Training Standards or North Carolina Sheriffs' Education and Training Standards
22 Commissions and employed by a law enforcement agency shall be enrolled in a diversion training course. A trainee
23 shall not be certified as a Diversion Investigator or Diversion Supervisor until the Basic Law Enforcement Training
24 course, pursuant to Rule .0205 of this Subchapter, has been completed with passing scores and probationary or general
25 law enforcement certification has been granted as outlined in 12 NCAC 09C .0303, 12 NCAC 09C .0304, 12 NCAC
26 10B .0403 or 12 NCAC 10B .0404. Sheriffs and appointed deputy sheriffs shall be allowed to participate in the
27 diversion training courses on a space available basis at the discretion of the Diversion Training Course School Director
28 without having enrolled in, or having completed with passing scores, the Basic Law Enforcement Training course,
29 pursuant to Rule .0205 of this Subchapter and 12 NCAC 09G .0411 and without being currently certified in a
30 probationary status or holding justice officer certification.

31 (d) Special Agents with the North Carolina State Bureau of Investigation deemed Diversion Investigators as of July
32 1, 2019, shall be automatically granted certification under this Rule for a period of three years.

33 (e) The term of certification as a Diversion Investigator or Supervisor shall be three years. An application for renewal
34 shall be received by the Criminal Justice Standards Division within 60 days prior to the current certification date and
35 shall include the following:

- 36 (1) proof that the applicant completed the one hour Diversion Investigator or Diversion Supervisor
37 refresher training as provided by the North Carolina Justice Academy, and

1 (2) a completed Diversion Investigator/Supervisor Application, Form ~~F-22(LE)~~, F-22(LE), pursuant to
2 12 NCAC 09I .0112.

3 ~~(f) The "Diversion Training Courses" required for certification, authored by the North Carolina State Bureau of~~
4 ~~Investigation and published by the North Carolina Justice Academy, shall include the topic areas as outlined in G.S.~~
5 ~~17C-6(a)(19) and is to be applied as the basic curriculum for the Diversion Training Courses for Diversion Investigator~~
6 ~~and Diversion Supervisors as administered by the Commission. Copies of this publication may be inspected at the~~
7 ~~office of the agency:~~

8 Criminal Justice Standards Division
9 North Carolina Department of Justice
10 1700 Tyrone Park Drive
11 Post Office Drawer 149
12 Raleigh, North Carolina 27602

13 and obtained at cost from the Academy at the following address:

14 North Carolina Justice Academy
15 Post Office Box 99
16 Salemburg, North Carolina 28385

17
18 *History Note: Authority G.S. 17C-6; 17E-4; 90-113.74E;*
19 *Eff. February 1, 2020;*
20 *Amended Eff. October 1, 2022; January 1, ~~2021~~; 2021;*
21 *Readopted Eff. January 1, 2027.*
22
23

1 12 NCAC 09B .0404 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0404 TRAINEE ATTENDANCE**

4 (a) Each trainee enrolled in a Commission-accredited Basic Law Enforcement Training (BLET) Course shall attend
5 all class sessions. The school director shall monitor the trainee's attendance at criminal justice training courses in
6 which the trainee is enrolled.

7 (b) The school director may excuse a trainee from attendance at specific class sessions for just cause. For purposes
8 of this Rule, just cause means accident, illness, emergency, or other circumstances which precluded the trainee from
9 attending a class session. However, in no case may excused or unexcused absences exceed five percent of the total
10 class hours for the course offering. A trainee shall not be eligible for administration of the State comprehensive
11 examination and shall be dismissed from the course if the cumulative total of class absences exceeds five percent
12 regardless of the prior completion of make-up work.

13 (c) If the school director grants an excused absence from a class session, he or she shall schedule make-up work and
14 ensure the completion of such work during the current course presentation. The school director shall schedule
15 instructors and reimburse those instructors for the purpose of completion of the make-up work. Make-up work shall
16 consist of an in-person, one-hour instruction period for each hour of missed training, in the lesson plan where the
17 missing training occurred, and shall be taught by an instructor certified to teach that block of instruction. Make up for
18 time missed during which a practical exercise was conducted shall be for a period of time spent in practicum equal to
19 the average of the time each of the remaining students spent completing the practical exercise. Make-up work shall be
20 documented on the F-26 BLET Student Absence/Make Up Training Report, pursuant to 12 NCAC 09I .0103. ~~Report.~~
21 ~~The F 26 BLET Student Absence/Make Up Training Report shall contain the following:~~

- 22 (1) ~~school/Academy Name;~~
23 (2) ~~class Name;~~
24 (3) ~~student name and ACADIS ID number;~~
25 (4) ~~course topic, date, and hours missed;~~
26 (5) ~~reason for missed time;~~
27 (6) ~~student and School Director signatures;~~
28 (7) ~~course topic and hours made up; and~~
29 (8) ~~instructor name and signature.~~

30 (d) If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal
31 Justice Standards Division shall allow additional breaks in instruction for an individual trainee in a specific course
32 delivery, not to exceed 90 hours, when the Director determines that doing so is necessary based on consideration of
33 the following factors:

- 34 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
35 (2) The risk of harm to students that may be caused by continuation of the course;
36 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
37 State of Emergency;

1 (4) The specific need for the waiver; and

2 (5) The degree of benefit to the public in allowing a break in instruction.

3 Notice of waivers granted pursuant to this Section shall be posted on the CJETS website at <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that
4 began during the effective period of the State of Emergency.
5

6 (e) The School Director shall provide the following information to the Director of the Criminal Justice Standards
7 Division for consideration of a waiver under Paragraph (d) of this Rule:

8 (1) a memorandum justifying the absence waiver;

9 (2) specific documentation related to the trainee's request; and

10 (3) a training completion plan pursuant to Paragraph (c) of this Rule.

11 (f) A school director shall terminate a trainee from course participation or shall deny certification of successful course
12 completion where the trainee is tardy to or departs early from four class meetings or field exercises.

13 (g) Where a trainee is enrolled in a program as required in 12 NCAC 09B .0210, .0212, ~~.0213~~, ~~.0214~~, .0215, ~~.0218~~,
14 ~~.0219~~, ~~.0220~~, ~~.0221~~, ~~.0222~~, .0237, .0238, ~~.0239~~, or ~~.0240~~, .0242, and the scheduled course hours exceed the
15 requirements of the Commission, the trainee, upon the authorization of the school director, shall be deemed to have
16 satisfactorily completed the required number of hours for attendance provided the trainee's attendance is not less than
17 100 percent of the instructional hours as required by the Commission.

18 (h) A trainee enrolled in a presentation of the "Criminal Justice Instructor Training Course" under Rule .0209 of this
19 Subchapter shall not be absent from class attendance for more than 10 percent of the total scheduled delivery period
20 in order to receive successful course completion.

21 (i) A trainee, enrolled in a presentation of the "Specialized Firearms Instructor Training" course under Rule .0226 of
22 this Subchapter, the "Specialized Driver Instructor Training" course under Rule .0227 of this Subchapter, the
23 "Specialized Compliance and Control Tactics Instructor Training" course under Rule .0232 of this Subchapter, the
24 "Specialized Physical Fitness Instructor Training" course under Rule .0233 of this Subchapter, the "Specialized
25 Explosives and Hazardous Materials Emergencies Instructor Training" course under Rule .0417 of this Subchapter, or
26 the "Juvenile Justice Specialized Instructor Training – Restraints, Controls and Defensive Techniques" course under
27 Rule .0241 of this Subchapter shall not be absent from class attendance for more than 10 percent of the total scheduled
28 delivery period in order to receive successful course completion. Make-up work must be completed during the current
29 course presentation for all absenteeism. Make-up work shall consist of an in-person, one-hour instruction period for
30 each hour of missed training, in the lesson plan where the missing training occurred, and shall be taught by an instructor
31 certified to teach that block of instruction.

32 (j) Where a trainee is enrolled in a program as required in 12 NCAC 09B .0209, .0226, .0227, .0232, .0233, or .0417,
33 the Director of the Criminal Justice Standards Division shall grant a waiver for completion of course requirements in
34 a course delivery scheduled within 12 months, for just cause based upon the circumstances that created the need for
35 the absence. For the purposes of this Rule, "just cause" includes an accident, illness, emergency, or course cancellation
36 that precluded the student from completing the entire course in one continuous course delivery.

1 (k) A trainee, enrolled in a presentation of the "RADAR Instructor Training Course" under Rule .0210 of this
2 ~~Subchapter, the "Time Distance Instructor Training Course" under Rule .0211 of this Subchapter, Subchapter~~ or the
3 "LIDAR Instructor Training Course" under Rule .0237 of this Subchapter shall not be absent from class attendance
4 for more than 10 percent of the total scheduled delivery period in order to receive successful course completion. Make-
5 up work must be completed during the current course presentation for all absenteeism. Make-up work shall consist of
6 an in-person, one-hour instruction period for each hour of missed training, in the lesson plan where the missing training
7 occurred, and shall be taught by an instructor certified to teach that block of instruction.

8
9 *History Note: Authority G.S. 17C-6; 17C-10;*
10 *Eff. January 1, 1981;*
11 *Amended Eff. November 1, 1981;*
12 *Readopted Eff. July 1, 1982;*
13 *Amended Eff. February 1, 2006; May 1, 2004; August 1, 2000; April 1, 1999; November 1, 1993;*
14 *July 1, 1989; February 1, 1987; June 1, 1986;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
16 *2019;*
17 *Amended Eff. January 1, 2025; April 1, 2022; August 1, ~~2021~~ 2021;*
18 *Readopted Eff. January 1, 2027.*
19
20

1 12 NCAC 09B .0405 is proposed for re adoption with substantive changes as follows:

2
3 **12 NCAC 09B .0405 COMPLETION OF BASIC LAW ENFORCEMENT TRAINING COURSE**

4 (a) Each delivery of a Commission-accredited Basic Law Enforcement Training Course (BLET) includes all modules
5 as specified in Rule .0205 of this Subchapter. Each trainee shall attend and satisfactorily complete the full course as
6 specified in Paragraphs (b) and (c) of this Rule during a scheduled delivery. The school director may develop
7 supplemental requirements as set forth in Rule .0202(a)(5) of this Subchapter, but may not add substantive courses,
8 or change or expand the substance of the courses as set forth in Rule .0205 of this Subchapter for purposes of
9 Commission credit. This Rule does not prevent the instruction on local agency rules or standards; however, such
10 instruction shall not be considered or endorsed by the Commission for purposes of certification. For the purposes of
11 this Rule, "limited enrollment" shall mean the requirement that a trainee complete only those specific courses and
12 course hours in which the trainee is deficient. A trainee found deficient in more than two cognitive topical areas or
13 motor skills shall be dismissed from the current training delivery and shall be required to complete the entire training
14 delivery in a subsequent session. For the purposes of this Rule, "deficiency" shall mean the cognitive topical area or
15 motor skills that the trainee did not complete and which must be remediated.

16 (b) The trainee shall demonstrate proficiency in the cognitive topical areas and motor skills by achieving a minimum
17 score of 70 percent on each test. If a trainee scores below 70 percent on a cognitive topical area or motor skills test,
18 the trainee shall have one opportunity for reexamination. A trainee shall be allowed failure and reexamination in no
19 more than nine cognitive topical areas and motor skills. Upon initial failure of a tenth cognitive topical area or motor
20 skills test, the trainee shall not be allowed reexamination and shall be immediately dismissed from the course and shall
21 be required to complete a subsequent delivery of BLET in its entirety.

22 (c) A trainee who fails to achieve a minimum score of 70 percent on the reexamination of a cognitive topical area or
23 motor skills test shall be considered deficient in the cognitive topical area or motor skill. A trainee who is deficient in
24 no more than two cognitive topical areas and/or motor skills shall be eligible to remediate his or her deficiencies. Prior
25 to remediating a cognitive topical area or motor skill, the School Director shall submit to the Division a Request for
26 Deficiency Remediation, Form F-13, pursuant to 12 NCAC 09I .0103. ~~which contains the trainee's name, instructor's
27 name, and the remediation plan.~~ The trainee shall:

- 28 (1) complete the current course delivery and then shall be required to remediate the deficiency as a
29 limited enrollee in a subsequent training course; or
30 (2) remediate up to two deficiencies within the current course delivery with the approval of the Division
31 Director.

32 (d) The Director of the Division shall issue prior written authorization for a specified trainee's limited enrollment in
33 a subsequent delivery of the same course where the trainee provides evidence that:

- 34 (1) the trainee attended and satisfactorily completed specified class hours and topics of BLET but
35 through extended absence occasioned by illness, accident, emergency, or other good cause was
36 absent for more than five percent of the total class hours of the course offering;

1 (2) the trainee was granted excused absences by the school director that did not exceed five percent of
2 the total class hours for the course offering and the school director has obtained approval from the
3 Standards Division pursuant to Rule .0404 of this Section for make up work to be completed in a
4 subsequent enrollment; or

5 (3) the trainee participated in a BLET course but is deficient in not more than two cognitive topical
6 areas or motor skill areas.

7 (e) An authorization of limited enrollment in a subsequent delivery of the BLET shall not be issued by the Standards
8 Division unless, in addition to the evidence required by Paragraphs (a) through (d) of this Rule:

9 (1) The school director of the previous course offering submits to the Standards Division a certification
10 of the particular topics and class hours attended and satisfactorily completed by the trainee during
11 the original enrollment; and

12 (2) The school director makes written application to the Standards Division for authorization of the
13 trainee's limited enrollment.

14 (f) An authorization of limited enrollment in a subsequent course delivery permits the trainee to attend an offering of
15 BLET commencing within 120 calendar days from the date of administration of the state comprehensive examination
16 in the trainee's prior course delivery.

17 (1) The trainee shall attend and complete in its entirety each cognitive topical area and/or motor skill
18 identified by the school director as an area of trainee deficiency in the prior course participation,
19 with the exception of the "Officer Health and Wellness" topical area.

20 (2) The two options available for satisfying a deficiency in the "Officer Health and Wellness" topical
21 area are:

22 (A) the student shall be allowed to make up the deficiency at the original training site without
23 enrolling in a subsequent delivery of BLET. Under this option, the student shall be given
24 120 calendar days from the date that the comprehensive state examination was
25 administered to the original BLET course in order to satisfy this deficiency. Students who
26 select this option shall be allowed two attempts to complete the entire Police Officer
27 Physical Abilities Test (POPAT) Course with a minimum of 24 hours of rest between
28 attempts during the 120-day period to satisfy the deficiency; or

29 (B) the student shall be allowed to enroll in a subsequent delivery of BLET as a "limited
30 enrollee." This delivery shall begin within 120 calendar days from the date that the
31 comprehensive state examination was administered to the original BLET course in order
32 to satisfy this deficiency. Students who select this option shall be allowed two attempts to
33 complete the entire POPAT Course with a minimum of 24 hours of rest between attempts
34 during the delivery period of the subsequent BLET course.

35 A certified Specialized Physical Fitness Instructor is the only person qualified to administer
36 and grade the fitness re-test. At the time of the re-test, the school director or the Qualified
37 Assistant shall be present.

1 (3) Following limited enrollment in the subsequent course offering, scheduled class attendance, and
2 having received passing grades on all required topic and motor-skill tests, and having no
3 deficiencies, the trainee shall be eligible for administration of the State comprehensive examination
4 by the Commission, as set forth in Rule .0406 of this Section.
5

6 *History Note:* *Authority G.S. 17C-6; 17C-10;*
7 *Eff. January 1, 1981;*
8 *Amended Eff. February 1, 2014; August 1, 2000; July 1, 1989; July 1, 1985; April 1, 1984; January*
9 *1, 1983;*
10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 *2019.*
12 *Amended Eff. January 1, 2026; January 1, ~~2025~~ 2025;*
13 *Readopted Eff. January 1, 2027.*
14
15

1 12 NCAC 09B .0406 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0406 COMPREHENSIVE STATE EXAMINATION – BASIC LAW ENFORCEMENT**
4 **TRAINING**

5 (a) Within 60 days of the conclusion of a school's offering of the Commission-accredited Basic Law Enforcement
6 Training Course, the Commission shall administer a comprehensive state examination online via the ~~Aeadis platform~~
7 North Carolina Justice Training and Certification Portal to each trainee who has completed all of the required course
8 work pursuant to Rule .0405 of this Section. A trainee shall not be administered the comprehensive state examination
9 until such time as all of the course work is completed or he or she is granted a medical waiver by the Director of the
10 Criminal Justice Standards Division in accordance with Paragraph (e) of this Rule.

11 (b) A trainee shall achieve a passing score on the comprehensive state examination upon answering a minimum of 70
12 percent of the questions correctly.

13 (c) A trainee who has completed a scheduled delivery of the Commission-accredited Basic Law Enforcement Training
14 Course and has achieved a minimum score of 60 percent but below the passing score of 70 percent on the
15 Commission's comprehensive state examination ~~the~~ is eligible for a re-examination of the Commission's
16 comprehensive state examination.

17 (1) The trainee's request for re-examination shall be made in writing on the ~~Commission's Re-~~
18 ~~Examination Request form~~ Commission Exam Admission Form (F-23), pursuant to 12 NCAC 09I
19 .0102, and shall be received by the Standards Division within 30 days of the examination. ~~The~~
20 ~~examination request form shall include the following information:~~

21 (A) ~~first time examination training type;~~

22 (B) ~~trainee information; and~~

23 (C) ~~school information and appropriate signatures.~~

24 (2) A trainee shall have, within 60 days of the original ~~examination(s)~~, examination, only one
25 opportunity for re-examination and shall achieve a ~~passing~~ score of 70 ~~percent~~. percent to pass.

26 (3) The trainee shall be assigned in writing by ~~the Director of the Standards Division~~ staff a place, time,
27 and date for re-examination.

28 (4) Should the trainee on re-examination not achieve a minimum score of 70 percent on the
29 examination, the trainee shall not be eligible for probationary certification, as prescribed in 12
30 NCAC 09C .0303(d). The trainee shall enroll and complete a subsequent offering of the Basic Law
31 Enforcement Training Course before further examination is permitted.

32 (d) A trainee who sustains injury prior to the final Police Officer Physical Abilities Test (POPAT) attempt and who
33 achieved a passing score on the last attempt, who has completed the required coursework with the exception of the
34 final POPAT, may request from the Director of the Criminal Justice Standards Division a medical waiver to take the
35 comprehensive written examination prior to completion of the final POPAT. The medical waiver request shall include
36 the following information:

37 (1) a memorandum from the School Director justifying a medical waiver;

1 (2) copies of the last POPAT assessment; and

2 (3) medical documentation from a physician, physician assistant, or nurse practitioner, holding a current
3 medical license, showing the diagnosis of the injury and the estimated medical release date.

4 Upon receipt of the information contained in this Paragraph, the Director of the Criminal Justice Standards Division
5 shall approve the medical waiver request. The School Director shall submit the medical waiver approval from the
6 Director of the Criminal Justice Standards Division with the comprehensive state examination admission form. The
7 trainee must complete the final POPAT attempt within 120 calendar days of the original comprehensive state
8 examination date.

9 (f) A trainee who fails to achieve a minimum score of 60 percent on the comprehensive state examination shall not
10 be given the opportunity for ~~re-examination~~. re-examination and is eligible to enroll in a subsequent offering of the
11 Commission-accredited Basic Law Enforcement Training Course.

12
13 *History Note: Authority G.S. 17C-6; 17C-10;*

14 *Eff. January 1, 1981;*

15 *Amended Eff. July 1, 2018; January 1, 2015; August 1, 2000; July 1, 1989; July 1, 1985; January*
16 *1, 1983;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

18 *Amended Eff. January 1, ~~2025~~. 2025;*

19 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0410 is proposed for re adoption with substantive changes as follows:

2
3 **12 NCAC 09B .0410 COMPLETION OF CRIMINAL JUSTICE INSTRUCTOR TRAINING COURSE**

4 (a) To successfully complete the "Criminal Justice Instructor Training Course" the trainee shall:

5 (1) complete all of the required course work pursuant to 12 NCAC 09B ~~.0209~~ .0209;

6 (2) ~~All trainee presentations shall~~ have met the criteria and conditions for all presentations, as
7 determined by the evaluating Commission-certified Criminal Justice Instructor; specified in the
8 ~~course orientation of the "Instructor Training Manual" as published by the North Carolina Justice~~
9 ~~Academy;~~ and

10 ~~(2)(3)~~ attain the passing score on each performance area, as determined by the evaluating Commission-
11 certified Criminal Justice Instructor, area as specified in the course abstract of the "Instructor
12 ~~Manual"~~ for the final written lesson plan and final 70-minute presentation.

13 (b) Should a trainee fail to meet the minimum criteria on the final lesson plan or the final 70-minute presentation, he
14 or she shall be authorized one opportunity to correct either of these deficiencies by the end of the course.

15
16 *History Note: Authority G.S. 17C-6; 17C-10;*

17 *Eff. January 1, 1985;*

18 *Amended Eff. January 1, 2018; January 1, 1995; February 1, 1987;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
20 *2019;*

21 *Amended Eff. January 1, ~~2021~~ 2021;*

22 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0413 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0413 COMPREHENSIVE WRITTEN STATE EXAM - INSTRUCTOR TRAINING**

4 (a) The Director of the Standards Division, or his designee, shall administer a comprehensive ~~written state~~
5 examination to each trainee who has completed the first 12 units of the "~~Criminal Criminal~~ Criminal Justice Instructor Training
6 Course" ~~Course as described in the "Basic Instructor Training Manual."~~ outlined in Rule .0209(b) of this Subchapter.
7 This comprehensive ~~written state~~ examination shall be administered within 60 days of the completion of the first 12
8 units of the "~~Criminal Criminal~~ Criminal Justice Instructor Training Course, ~~as specified in Rule .0209 of this Subchapter.~~
9 Course.

10 (b) The examination shall be an objective test covering the topic areas contained in the accredited course curriculum.

11 (c) The Commission's representative shall submit to the school director within five business days of the administration
12 of the examination a report of the results of the test for each trainee examined.

13 (d) A trainee shall achieve a passing score on the comprehensive ~~written state~~ examination if he or she achieves a
14 minimum of ~~75~~ 80 percent correct answers.

15 (e) A trainee who has participated in a scheduled delivery of an accredited training course and has demonstrated
16 competence in each performance area of the course curriculum, who has scored at least ~~65~~ 70 percent but has failed
17 to achieve the minimum passing score of ~~75~~ 80 percent on the Commission's comprehensive ~~written state~~ examination,
18 may request the Director of the Standards Division to authorize a re-examination of the trainee under the following
19 requirements:

- 20 (1) The trainee's request for re-examination shall be made in writing on the ~~Commission's Re-~~
21 ~~Examination Request~~ form, ~~located on the agency's website:~~
22 ~~http://www.ncdoj.gov/getdoc/b38b7ccc_e311_4ec3_8f9e_bd8fd58f6281/SMI-6-Reexam-6-11.aspx.~~
23 Commission Exam Admission Form (F-23), pursuant to 12 NCAC 09I .0102. ~~The Re-Examination~~
24 ~~Request~~ form shall be received by the Standards Division within 30 days of the examination;
- 25 (2) The trainee's request for re-examination shall include the favorable recommendation of the school
26 director who administered the course;
- 27 (3) A trainee shall have, within 60 days of the original examination, only one opportunity for
28 re-examination and shall achieve a passing score on the subsequent examination; and
- 29 (4) The trainee shall be notified in writing by ~~the Standards~~ Division staff of a place, time, and date for
30 re-examination.

31 (f) Should the trainee not achieve a passing score of 80 percent on the ~~re-examination~~ re-examination, the trainee
32 shall not be given course ~~completion~~ completion, pursuant to Rule .0410 of this Subchapter, and shall enroll and
33 complete a subsequent offering of the criminal justice instructor course before further examination may be permitted.

34 (g) A trainee who fails to score at least ~~65~~ 70 percent on the Commission's comprehensive ~~written state~~ examination
35 shall not be eligible for re-examination, and shall complete a subsequent offering of the criminal justice instructor
36 training course before further examination may be permitted.

1 *History Note: Authority G.S. 17C-6; 17C-10;*
2 *Eff. February 1, 1987;*
3 *Amended Eff. January 1, 2015; January 1, 1995;*
4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
5 *~~2019.~~ 2019;*
6 *Readopted Eff. January 1, 2027.*

7
8

1 12 NCAC 09B .0415 is proposed for re adoption with substantive changes as follows:

2
3 **12 NCAC 09B .0415 SATISFACTION OF MINIMUM TRAINING - SPECIALIZED INSTRUCTOR**

4 (a) To acquire successful completion of the "Specialized Firearms Instructor Training," "Specialized Driver Instructor
5 Training," "Specialized Compliance and Control Tactics Instructor Training," "Specialized Physical Fitness
6 Instructor," and the "Specialized Explosives and Hazardous Materials Emergencies Instructor Training" courses, the
7 trainee shall ~~satisfactorily~~ complete all required coursework and demonstrate proficiency in all required motor-skill
8 and performance subjects as specified in 12 NCAC 09B .0226, .0227, .0232, .0233, or .0417 of this Section.

9 (b) Should a trainee fail to meet the minimum criteria on a motor skill or performance area, he or she shall be
10 authorized one opportunity for a re-test. Such re-test ~~must~~ shall be completed during the original course and prior to
11 the ~~trainee's~~ trainee being administered the comprehensive state examination. Failure to meet the required criteria on
12 a re-test requires enrollment in a subsequent ~~course.~~ course before further examination is permitted.

13
14 *History Note: Authority G.S. 17C-6; 17C-10;*

15 *Eff. February 1, 1987;*

16 *Amended Eff. June 1, 2013; August 1, 2000; July 1, 1989;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
18 *2019;*

19 *Amended Eff. January 1, ~~2025.~~ 2025.*

20 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0417 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09B .0417 SPECIALIZED EXPLOSIVES AND HAZARDOUS MATERIALS INSTRUCTOR**
4 **TRAINING**

5 (a) The instructor training course required for Specialized Explosives and Hazardous Materials Instructor Certification
6 shall consist of a minimum of 59 hours of classroom instruction plus time required to complete Instructor Practicum
7 presented during a continuous period of not more than two weeks. If the Governor declares a State of Emergency
8 pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks
9 in a specific course delivery when the Director determines that doing so is necessary based on consideration of the
10 following factors:

- 11 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 12 (2) The risk of harm to students that may be caused by continuation of the course;
- 13 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
14 State of Emergency;
- 15 (4) The specific need for the waiver; and
- 16 (5) The degree of benefit to the public in allowing a break in instruction.

17 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website [https://ncdoj.gov/law-](https://ncdoj.gov/law-enforcement-training/criminal-justice/)
18 [enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall only apply to courses that
19 began during the effective period of the State of Emergency.

20 (b) Each Specialized Explosives and Hazardous Materials Instructor Training course shall be designed to provide the
21 trainee with the skills and knowledge to perform the function of a criminal justice explosives and hazardous materials
22 instructor in a Basic Law Enforcement Training Course or a Law Enforcement Officers' Annual In-Service Training
23 Program.

24 (c) Each applicant for Specialized Explosives and Hazardous Materials Instructor Training shall:

- 25 (1) have completed either:
 - 26 (A) the criminal justice instructor training ~~course;~~ course, pursuant to Rule .0209 of this
27 Subchapter; or
 - 28 (B) the Fire Service Instructor Methodology Course or the equivalent utilizing the Instructional
29 Systems Design model, an international model with application in education, military
30 training, and private enterprise;
- 31 (2) present a written endorsement by either:
 - 32 (A) a certified school director indicating the student will be utilized to instruct explosives and
33 hazardous materials in Basic Law Enforcement Training Courses; or
 - 34 (B) ~~a department~~ an agency head, certified school director, or in-service training coordinator,
35 indicating the student will be utilized to instruct explosives and hazardous materials
36 training in the Law Enforcement Officer's Annual In-Service Training Program; and

1 (3) present a completed OSHA Respirator Medical Evaluation Questionnaire, accompanied by a
2 statement from a licensed medical professional stating the applicant is physically fit to participate
3 in the course.

4 (d) Each Specialized Explosives and Hazardous Materials Instructor Training course shall include the following
5 identified topic areas and minimum instructional hours for each area:

6	(1)	Orientation	2 Hours
7	(2)	Introduction to Hazardous Materials	1 Hour
8	(3)	Hazardous Materials Identification	2.5 Hours
9	(4)	Awareness Level Actions at Hazardous Materials Incidents	1.5 Hours
10	(5)	Chemical Properties and Hazardous Materials Behavior	3 Hours
11	(6)	Incident Management	3 Hours
12	(7)	Strategic Goals and Tactical Objectives	3.5 Hours
13	(8)	Terrorist and Other Criminal Activity	5 Hours
14	(9)	Personal Protective Equipment	5 Hours
15	(10)	Decontamination	5 Hours
16	(11)	Product Control	4 Hours
17	(12)	Air Monitoring and Sampling	1.5 Hours
18	(13)	Victim Rescue and Recovery	4 Hours
19	(14)	Evidence Preservation and Sampling	3 Hours
20	(15)	Illicit Laboratories	2 Hours
21	(16)	Introduction to Explosive Devices	1 Hour
22	(17)	Improvised Explosive Device Anatomy	2 Hours
23	(18)	Packaged Improvised Explosive Devices	1 Hour
24	(19)	Suicide/Homicide Improvised Explosive Devices	1 Hour
25	(20)	Vehicle Borne Improvised Explosive Devices	1 Hour
26	(21)	Radio Controlled Improvised Explosive Devices with Live Demonstration	5 Hours
27	(22)	Improvised Explosive Device Threat Response	1 Hour
28	(23)	Explosives and Hazardous Materials Emergencies and BLET Lesson Plan	
29		Review	1 Hour

30 (24) Completion of tasks associated with Instructor Practicums shall consist of a minimum of 20 hours.
31 Practicums. The number of required hours to complete this portion of the curriculum shall be based
32 on the number of students and instructors.

33 ~~(e) The basic curriculum for delivery of the Specialized Explosives and Hazardous Materials Instructor Training~~
34 ~~course shall be the "Specialized Explosives and Hazardous Materials Instructor Training Manual," as published by the~~
35 ~~North Carolina Justice Academy. Copies of these publications may be inspected at the agency:~~

36 Criminal Justice Standards Division
37 North Carolina Department of Justice

1 1700 Tryon Park Drive

2 Raleigh, North Carolina 27610

3 and may be obtained at no cost to the student from the Academy at the following address:

4 North Carolina Justice Academy

5 Post Office Box 99

6 Salemburg, North Carolina 28385

7 ~~(f)(c)~~ The North Carolina Justice Academy is certified to offer the Specialized Explosives and Hazardous Materials
8 Instructor Training course.

9
10 *History Note: Authority G.S. 17C-6; 17C-10;*

11 *Eff. June 1, 2013;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
13 *2019;*

14 *Amended Eff. April 1, 2022; January 1, ~~2021~~, 2021;*

15 *Readopted Eff. January 1, 2027.*

16

17

1 12 NCAC 09E .0103 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09E .0103 STATE OR LOCAL LAW ENFORCEMENT AGENCY HEAD**
4 **RESPONSIBILITIES: ANNUAL IN-SERVICE TRAINING**

5 The State or local law enforcement agency head, for any agency employing individuals certified as law enforcement
6 officers, shall ensure that the annual in-service training is conducted according to specifications pursuant to 12 NCAC
7 09E .0111. In addition, the State or local law enforcement agency head or designated representative shall:

- 8 ~~(1)~~ ~~ensure all annual in-service training topics are delivered either in person or through the North~~
9 ~~Carolina Justice Training and Certification portal, or by a North Carolina community college;~~
- 10 ~~(2)~~(1) review departmental policies regarding the use of force during the agency's annual in-service
11 training program; and
- 12 ~~(3)~~(2) report to the Criminal Justice Standards Division once each calendar year a roster of all law
13 enforcement officers who fail to successfully complete the annual in-service training pursuant to 12
14 NCAC 09E .0111, and shall certify that all law enforcement officers in the agency not listed did
15 successfully complete the training. This roster shall reflect the annual in-service status of all law
16 enforcement officers employed by the agency as of December 31 of each calendar year and shall be
17 received by the Criminal Justice Standards Division no later than the following January 15th.
18 Officers having completed Basic Law Enforcement Training as a full-time student or lateral transfer
19 and passed the comprehensive state final examination in this same calendar year must complete the
20 annual in-service training for the year if they were sworn in between January 1st and June 30th of
21 that year. Officers sworn in between July 1st and December 31st must complete the annual in-service
22 training by June 30th of the following year, and
- 23 ~~(4)~~(3) maintain in each officer's file documentation that the officer has completed the annual in-service
24 training requirement; and
- 25 (4) maintain documentation outlined in .0104(7) of this Subchapter for a period of time that is consistent
26 with the Records Retention and Disposition Schedule of the Government Records Section of the
27 Division of Archives and Records of the North Carolina Department of Natural and Cultural
28 Resources; and
- 29 (5) where the officer fails to successfully qualify with any of the weapons specified in Rule 09E .~~0106(a)~~
30 ~~and (b)~~ .0106(a) of this Section, prohibit access to such weapon(s) until such time as the officer
31 obtains qualification; and
- 32 (6) where the officer fails to successfully qualify with any of the weapons specified in Rule 09E
33 ~~.0106(d)~~ .0106(k) of this Section, prohibit the possession of such weapon(s) while on duty or when
34 acting in the discharge of that agency's official duties, and shall deny the officer authorization to
35 carry such weapon(s) concealed when off-duty, except when the officer is on his own premises; and
- 36 (7) where an officer has access to any specialized or tactical weapon(s) not specifically covered in Rule
37 ~~.0106(a) and (b)~~ .0106 of this Section, prohibit the officer's use of the weapon(s) while engaged in

1 the officer's official capacity unless the agency head determines the officer is competent to use the
2 weapon in a lawful and prudent manner based upon the officer's experience, training, education, and
3 disciplinary record.

4
5 *History Note: Authority G.S. 17C-6; 17C-10;*
6 *Eff. July 1, 1989;*
7 *Amended Eff. January 1, 2005; January 1, 1995;*
8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*
10 *Amended Eff. October 1, 2025; March 1, ~~2024~~ 2024;*
11 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09E .0104 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09E .0104 INSTRUCTORS: ANNUAL IN-SERVICE TRAINING**

4 The following requirements and responsibilities are hereby established for instructors who conduct the law
5 enforcement officers' annual in-service training program:

- 6 (1) The instructor shall hold Instructor Certification issued by the Commission as outlined in 12 NCAC
7 09B .0302, ~~09B~~ .0304, and ~~09B~~ .0306, except for instructors who exclusively deliver:
- 8 (a) CPR certifications that include cognitive and skills testing;
 - 9 (b) use of equipment training conducted by a manufacturer, manufacturer's representative or a
10 service provider and documented through a certificate of completion; or
 - 11 (c) Incident Command System training for NIMS (National Incident Management System)
12 compliance who are certified through FEMA (Federal Emergency Management Agency)
13 as Incident Command Instructors.
- 14 (2) Each instructor certified by the Commission to teach in a Commission-accredited basic training,
15 Speed Measuring Instrument Operator or Instructor training, Instructor or Specialized Instructor
16 training, or Commission-approved in-service training course shall complete all instructor training
17 required by this Chapter.
- 18 (3) Instructors who teach a required in-service training topic, other than a topic taught pursuant to
19 Paragraph (1) of this Rule shall achieve a passing grade on a topic specific test developed by the
20 North Carolina Justice Academy or by the agency delivering the training before delivering the topic
21 of instruction.
- 22 (4) Instructors who teach a required in-service training topic online shall also complete the in-service
23 training for the topic he or she will be teaching before delivering the topic of instruction.
- 24 (5) Instructors who teach an in-service training topic in a traditional classroom format will receive credit
25 toward their own in-service training requirements, provided that they pass all required tests, as
26 outlined in this section, and have their instruction documented by the Agency Head or In-Service
27 Training Coordinator once completed.
- 28 (6) The instructor shall deliver the training consistent with the specifications established in Rule .0106
29 and .0111 of this Section.
- 30 (7) The instructor shall report the successful or unsuccessful completion of training for each officer to
31 the Agency Head. For firearms qualification, pursuant to .0106 of this Subchapter, the specialized
32 firearms instructor shall also document the target used, the scoring matrix used, and the course of
33 fire.
- 34 (8) When the officer fails to qualify with a weapon, the instructor shall inform the officer of the failure
35 to qualify. The instructor shall then provide the officer with Firearms Qualification Record Form ~~F-~~
36 ~~9A~~ F-9A, pursuant to 12 NCAC 09I .0114, which the officer is required to sign. This form shall
37 instruct the officer not to use the weapon and shall require the officer to notify the Agency Head or

1 designated representative within 24 hours of the qualification failure. Additionally, the instructor
2 shall provide this form to the Agency Head or designated representative within 72 hours of the
3 qualification failure. ~~The Form F-9A Firearms Qualification Record shall contain the following:~~

- 4 ~~(a) officer's name and appointing agency;~~
- 5 ~~(b) instructor's name and signature;~~
- 6 ~~(c) date the classroom section was completed;~~
- 7 ~~(d) officer's acknowledgment of qualification scores; and~~
- 8 ~~(e) firearms score sheet.~~

9 ~~All Commission forms are available for download on the Criminal Justice Standards Division website:~~
10 ~~<https://nedoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.~~

11
12 *History Note: Authority G.S. 17C-6; 17C-10;*
13 *Eff. July 1, 1989;*
14 *Amended Eff. July 1, 2016; May 1, 2014; February 1, 2013; April 1, 2008; January 1, 2006; January*
15 *1, 2005;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
17 *2019;*
18 *Amended Eff. May 1, 2025, July 1, ~~2020~~, 2020;*
19 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09E .0106 is proposed for readoption with substantive changes as follows:

2
3 **12 NCAC 09E .0106 ANNUAL FIREARMS QUALIFICATION SPECIFICATIONS**

4 (a) All certified law enforcement officers shall qualify for both day and low-light use with each department-approved
5 service handgun prior to carrying the handgun in the performance of law enforcement duties, pursuant to 12 NCAC
6 09E .0103(5) and (6), and at least once each calendar year thereafter. For the purpose of this specification, service
7 handgun shall include any semi-automatic pistol or revolver. Qualification shall consist of either completion of a
8 BLET firearms qualification course, pursuant to 12 NCAC 09B .0205, or completion of firearms qualification as
9 specified in this Rule. In the discretion of the Agency Head, a law enforcement agency may allow the use of specialized
10 sights as part of any course of fire in the Day Accuracy Qualification course, Low-Light Accuracy Qualification
11 course, Day Decision Making Qualification course, or Low-Light Decision Making Qualification course.

12 (b) The Accuracy Qualification course of fire shall meet the following minimum requirements for Day Accuracy
13 Qualification:

- 14 (1) ~~No~~ Firing no fewer than thirty (30) rounds
- 15 (2) Firing from the three (3), five (5), seven (7), ten (10), fifteen (15), and twenty-five (25) yard lines
16 and shall consist of a minimum of four rounds fired from each yard line and no more than the
17 following percentage of ~~shots~~ rounds fired at each yard line:
- 18 (A) 3 yard line: ~~40%~~ 12%
- 19 (B) 5yard line: 12%
- 20 (C) 7 yard line: ~~30%~~ 40%
- 21 (D) 10 yard line: 20%
- 22 (E) 15 yard line: ~~25%~~ 30%
- 23 (F) 25 yard line: ~~20%~~ 30%
- 24 (3) Firing at least two rounds from each of the following positions:
- 25 (A) Standing
- 26 (B) ~~Kneeling~~, Kneeling
- 27 (C) Barricade
- 28 (D) Prone is optional based on the agency's preference
- 29 (4) Firing at least two rounds using the dominant hand only
- 30 (5) Firing at least two rounds using the support hand only
- 31 (6) ~~Fire after drawing from the holster~~ At least one stage of fire must include a mandatory magazine
32 change
- 33 (7) ~~At least one stage that includes a mandatory magazine change~~ Prior to beginning any sequence of
34 fire, the handgun must be holstered and all retention devices secured. The requirement to holster the
35 handgun with all retention devices secured does not apply when a series of continued fire is required
36 or a momentary pause in firing is necessary for reloading.

1 (c) The Accuracy Qualification course of fire shall meet the following minimum requirements for Low-Light
2 Accuracy Qualification:

- 3 (1) ~~No Firing~~ no fewer than thirty (30) rounds
- 4 (2) Firing from the three (3), five (5), seven (7), ten (10), and fifteen (15) yard lines and shall consist of
5 a minimum of four rounds fired from each yard line and no more than the following percentage of
6 ~~shots~~ rounds fired at each yard line: line, using the lighting as specified:
 - 7 (A) 3 yard line: ~~13%~~ 20% - the use of no light is required
 - 8 (B) 5 yard line: ~~26%~~ 30% - using only a flashlight is required
 - 9 (C) 7 yard line: ~~24%~~ 30% - using only blue lights is required
 - 10 (D) 10 yard line: ~~24%~~ 30% - using only blue lights and low-beam headlights is required
 - 11 (E) 15 yard line: ~~24%~~ 30% - using only blue lights and low-beam or high-beam headlights is
12 required
 - 13 (F) At the 5, 7, 10, and 15 yard lines, in addition to the lighting as specified above, the agency
14 can allow officers to also use a weapon-mounted light.
- 15 (3) Firing at least two rounds from the following positions:
 - 16 (A) Standing
 - 17 (B) Kneeling
 - 18 (C) Barricade and Prone are optional based on the agency's preference.
- 19 (4) Firing at least two rounds using the dominant hand only
- 20 (5) Firing at least two rounds using the support hand only
- 21 (6) ~~Firing after drawing from the holster~~ At least one stage of fire must include a mandatory magazine
22 change
- 23 (7) ~~At least one stage that includes a mandatory magazine change~~ Prior to beginning any sequence of
24 fire, the handgun must be holstered and all retention devices secured. The requirement to holster the
25 handgun with all retention devices secured does not apply when a series of continued fire is required
26 or a momentary pause in firing is necessary for reloading.
- 27 (8) ~~At least one stage that includes the required use of a flashlight or weapon-mounted light~~
- 28 (9) ~~At least one stage that includes the use of blue lights~~
- 29 (10) ~~At least one stage that includes the use of low beam headlights and blue lights.~~
- 30 (11) ~~At least one stage that includes the use of headlights, blue lights, and all available lighting.~~

31 (d) All certified law enforcement officers shall successfully complete a Decision Making Qualification course for
32 both day and low-light at least once each calendar year.

33 (e) The Decision Making Qualification course shall meet the following minimum requirements:

- 34 (1) Day Decision Making Qualification:
 - 35 (A) No fewer than three decision points within the course
 - 36 (B) Required target discrimination decision (shoot/no-shoot)
 - 37 (C) Required articulation by the officer of a minimum of two decisions made during the course

1 (D) Shall contain a detailed diagram of the decision-making course, with a written explanation
2 of the course, and a scoring matrix outlining what constitutes passing and failing
3 performance, which shall be maintained in an Annual Qualification file by the agency and
4 made available for audit.

5 (2) Low-Light Decision Making Qualification:

6 (A) No fewer than three decision points within the course

7 (B) Required target discrimination decision (shoot/no-shoot)

8 (C) Required use of a flashlight, weapon mounted light, or other shooter-controlled light source

9 (D) Required articulation by the officer of a minimum of two decisions made during the course

10 (E) Shall contain a detailed diagram of the decision-making course, with a written explanation
11 of the course, and a scoring matrix outlining what constitutes passing and failing
12 performance, which shall be maintained in an Annual Qualification file by the agency, and
13 made available for audit,

14 (f) If an officer's service ~~handgun~~ firearm is replaced with another service ~~handgun~~ firearm of the same make and
15 model, the officer shall complete the Day Accuracy Qualification with the new service ~~handgun~~ firearm within 15
16 days of issuance. If an officer's service firearm is replaced with another service firearm of a different make, different
17 model, or with a different sighting system, the officer must meet the requirements outlined in Paragraphs (a) or (g) of
18 this Rule.

19 (g) All certified law enforcement officers who are issued or authorized to use a shotgun, rifle, or automatic weapon
20 shall qualify with each weapon respectively for both day and low-light use prior to carrying the weapon in the
21 performance of law enforcement duties, pursuant to 12 NCAC 09E .0103(5) and (6), and at least once each calendar
22 year thereafter.

23 (h) The accuracy qualification courses required by Paragraphs (a) through (c) of this Rule shall be completed with
24 duty equipment and duty ammunition or ballistic-equivalent ammunition, including lead-free ammunition that meets
25 the same point of aim, point of impact, and felt recoil of the duty ammunition for all weapons.

26 (i) All certified law enforcement officers who are issued or authorized to use a less-lethal weapon, that may also be
27 classified as a firearm, shall qualify with each weapon respectively, in compliance with the manufacturers
28 specifications or certification requirements prior to carrying the weapon in the performance of law enforcement duties,
29 pursuant to 12 NCAC 09E .0103(7), and as required by the manufacturer thereafter.

30 (j) For the purposes of this Rule, low light for an outdoor range is defined as beginning 30 minutes after sunset, based
31 on the time provided by the U.S. Naval Observatory chart (located here: https://aa.usno.navy.mil/data/RS_OneYear)
32 for the date of qualification, specific to the location of the outdoor range. For an indoor range, transition to a low-light
33 environment occurs by cutting off the lighting and is not defined by a specific time.

34 (k) Pursuant to G.S. 14-269 and the Law Enforcement Officers Safety Act of 2004, H.R.218, 108th Cong. (2004),
35 (located here: <https://www.congress.gov/bill/108th-congress/house-bill/218>), all certified law enforcement officers
36 who are authorized to carry an off-duty or secondary handgun shall qualify with each such handgun consistent with
37 the specifications outlined in Paragraphs (a) through (c) of this Rule.

1 (l) To satisfy the requirements for all firearms accuracy qualifications, an officer shall attain at least 80 percent
2 accuracy with each weapon.

3 (m) To satisfy the requirements for all decision making qualification courses, an officer shall attain a passing score
4 as outlined by the specific courses scoring matrix.

5 (n) Each Day Accuracy Qualification course and Low-Light Accuracy Qualification course:

6 (1) Shall be completed successfully on a single day, once out of three attempts.

7 (2) Failure to qualify within three attempts on a single day is deemed a failure.

8 (3) Once qualification has begun, if an officer is unsuccessful at any qualification attempt and fails to
9 complete three attempts in a single day, the officer is deemed to have failed to qualify.

10 (4) ~~No practice is allowed once qualification begins. Practice is not allowed until after the officer~~
11 ~~qualifies successfully or the third qualification attempt is completed.~~ Between each qualification
12 attempt by an individual officer, but not during a qualification attempt, any or all of the following
13 may occur: coaching, advice, live fire, dry fire, or use of a simulator.

14 (5) Shall be completed with each weapon for which qualification is required

15 (6) Each Qualification course may take place on different days; however, all three attempts to qualify
16 for that course shall occur on that day.

17 (7) Once an officer has failed to qualify in three attempts or failed to complete three attempts to qualify
18 in a single day on any Qualification course, Access to the weapon shall be restricted until such time
19 the officer successfully qualifies with the weapon. The restriction is pursuant to Rule .0103 (4) and
20 (5) of this Section.

21 (o) Each Day Decision Making Qualification course and Low-Light Decision Making Qualification course:

22 (1) Shall be completed successfully on a single day, once out of three attempts.

23 (2) Failure to qualify within three attempts on a single day is deemed a failure.

24 (3) Once qualification has begun, if an officer is unsuccessful at any qualification attempt and fails to
25 complete three attempts in a single day, the officer is deemed to have failed to qualify.

26 (4) ~~No practice is allowed once qualification begins. Practice is not allowed until after the officer~~
27 ~~qualifies successfully or the third qualification attempt is completed.~~ Between each qualification
28 attempt by an individual officer, but not during a qualification attempt, any or all of the following
29 may occur: coaching, advice, live fire, dry fire, or use of a simulator.

30 (5) Each qualification course may take place on different days; however, all three attempts to qualify
31 for that course shall occur on that day.

32 (6) Once an officer has failed to qualify in three attempts or failed to complete three attempts to qualify
33 in a single day on any qualification course, Access to the weapon shall be restricted until such time
34 the officer successfully qualifies with the weapon. The restriction is pursuant to Rule .0103 (4) and
35 (5) of this Section.

- 1 (7) Simulators, including virtual reality simulator headsets, are permitted for use during a Decision
2 Making Qualification course, provided a Commission-certified Specialized Firearms Instructor is
3 present to supervise.
- 4 (8) Non-lethal ammunition, such as force-on-force ammunition, Simunitions, and paintballs, is
5 permitted for use during a Decision Making Qualification course.

6

7 *History Note: Authority G.S. 17C-6; 17C-10;*
8 *Eff. July 1, 1989;*
9 *Amended Eff. January 1, 2019; April 1, 2018; January 1, 2006; January 1, 2005; November 1,*
10 *1998; March 1, 1992;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019.*
13 *Amended Eff. January 1, ~~2026~~ 2026;*
14 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0210 is proposed for readoption as follows:

2

3 **12 NCAC 09B .0210 RADAR INSTRUCTOR TRAINING COURSES**

4 (a) The RADAR Instructor Training course shall be designed to provide the trainee with the skills and knowledge to
5 perform the function of a criminal justice RADAR instructor. The RADAR Instructor Training course shall consist of
6 a minimum of 60 hours of classroom instruction and motor-skill performance testing. This course shall be for a period
7 not to exceed six consecutive weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19),
8 the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when
9 the Director determines that doing so is necessary based on consideration of the following factors:

- 10 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 11 (2) The risk of harm to students that may be caused by continuation of the course;
- 12 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
13 State of Emergency;
- 14 (4) The specific need for the waiver; and
- 15 (5) The degree of benefit to the public in allowing a break in instruction.

16 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that
17 began, or were in effect, during the effective period of the State of Emergency.
18

19 (b) The RADAR Instructor Training course shall include the following identified topic areas and minimum
20 instructional hours for each area:

21	(1)	Orientation	2 Hours
22	(2)	Introduction to RADAR Training	2 Hours
23	(3)	Speed Offenses and Speed Enforcement	4 Hours
24	(4)	Basic Principles of RADAR Speed Measurement	6 Hours
25	(5)	North Carolina Administrative Code and SMI Forms	8 Hours
26	(6)	Legal and Operational Considerations	8 Hours
27	(7)	Familiarization and Operation of Specific RADAR Instruments	16 Hours
28	(8)	Courtroom Preparation	4 Hours
29	(9)	Motor-Skill Performance Testing	8 Hours
30	(10)	Course Review	2 Hours

31 (c) Each applicant for the RADAR Instructor Training course shall:

- 32 (1) Present the endorsement of a Commission-certified school director or agency executive officer or
33 his designee;
- 34 (2) Possess current criminal justice instructor certification as required in 12 NCAC 09B .0302; and
- 35 (3) Possess a current RADAR operator certification.

1 (d) The RADAR Instructor Re-Certification Training course shall consist of a minimum of 18 hours of classroom
2 instruction and motor-skill performance testing and not exceed one week. Each RADAR Instructor Re-Certification
3 Training course shall include the following identified topic areas and minimum instructional hours for each area:

- | | | | |
|----|-----|---|-----------|
| 4 | (1) | Orientation | 1 Hour |
| 5 | (2) | Speed Offenses and Speed Enforcement | 1 Hour |
| 6 | (3) | Basic Principles of RADAR Speed Measurement | 1.5 Hours |
| 7 | (4) | North Carolina Administrative Code and SMI Forms | 2 Hours |
| 8 | (5) | Legal and Operational Considerations | 1.5 Hours |
| 9 | (6) | Familiarization and Operation of Specific RADAR Instruments | 3 Hours |
| 10 | (7) | Motor-Skill Performance Testing | 8 Hours |

11 (e) Each applicant for the RADAR Instructor Re-Certification Training course shall:

- | | | |
|----|-----|--|
| 12 | (1) | Possess current criminal justice instructor certification as required in 12 NCAC 09B .0302; |
| 13 | (2) | Have been certified as a RADAR instructor within the three years preceding the completion date of
14 the re-certification course; and |
| 15 | (3) | Present the endorsement of a Commission-certified school director, agency executive officer, or his
16 designee. |

17 (f) The North Carolina Justice Academy is the only Commission-accredited school authorized to administer the
18 RADAR Instructor and RADAR Instructor Re-Certification Training Courses.

19
20 *History Note: Authority G.S. 17C-6;*
21 *Eff. November 1, 1981;*
22 *Readopted w/change Eff. July 1, 1982;*
23 *Amended Eff. January 1, 2006; April 1, 1999; November 1, 1998; August 1, 1995; July 1, 1989;*
24 *February 1, 1987; August 1, 1984;*
25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
26 *2019;*
27 *Amended Eff. October 1, ~~2025~~ 2025;*
28 *Readopted Eff. January 1, 2027.*

1 12 NCAC 09B .0237 is proposed for readoption as follows:

2

3 **12 NCAC 09B .0237 LIDAR INSTRUCTOR CERTIFICATION TRAINING AND RE-**
4 **CERTIFICATION COURSES**

5 (a) The LIDAR Instructor Training Course shall be designed to provide the trainee with the skills and knowledge to
6 perform the function of a LIDAR instructor. The LIDAR Instructor Training Course shall consist of a minimum of 18
7 hours of classroom instruction and motor-skill performance testing. This course shall be for a period not to exceed six
8 consecutive weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of
9 the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director
10 determines that doing so is necessary based on consideration of the following factors:

- 11 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 12 (2) The risk of harm to students that may be caused by continuation of the course;
- 13 (3) Whether those enrolled in the course have been or will likely be called to action to help address the
14 State of Emergency;
- 15 (4) The specific need for the waiver; and
- 16 (5) The degree of benefit to the public in allowing a break in instruction.

17 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website, located at
18 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only
19 apply to courses that began, or were in effect, during the effective period of the State of Emergency.

20 (b) Each applicant for the LIDAR Instructor Training course shall:

- 21 (1) present the endorsement of a Commission-certified school director or agency executive officer or
22 his designee;
- 23 (2) possess current criminal justice instructor certification as required in 12 NCAC 09B .0302; and
- 24 (3) possess a current LIDAR operator certification.

25 (c) The LIDAR Instructor Training course shall include the following identified topic areas and minimum
26 instructional hours for each area:

- 27 (1) Orientation 2 Hours
- 28 (2) Introduction to LIDAR Training ½ Hour
- 29 (3) Basic Principles of LIDAR Speed Measurement 1 Hour
- 30 (4) Legal and Operational Considerations 1 Hour
- 31 (5) North Carolina Administrative Code and SMI Forms 1 Hour
- 32 (6) Familiarization and Operation of Specific LIDAR Instruments 7 Hours
- 33 (7) Courtroom Preparation ½ Hour
- 34 (8) Motor-Skill Performance Testing 4 Hours
- 35 (9) Course Review 1 Hour

1 (d) The LIDAR Instructor Re-Certification Training course shall consist of a minimum of 4 hours of classroom
2 instruction and motor-skill performance testing and not exceed one week. Each LIDAR Instructor Re-Certification
3 Training course shall include the following identified topic areas and minimum instructional hours for each area:

- | | | | |
|---|-----|---|----------|
| 4 | (1) | Course Orientation | ½ Hour |
| 5 | (2) | Legal and Operational Considerations | 1 Hour |
| 6 | (3) | Familiarization and Operation of Specific LIDAR Instruments | 1 Hour |
| 7 | (4) | Motor-Skill Performance Testing | 1½ Hours |

8 (e) Each applicant for the LIDAR Instructor Re-Certification Training course shall:

- 9 (1) Possess current criminal justice instructor certification as required in 12 NCAC 09B .0302;
10 (2) Have been certified as a LIDAR instructor within the three years preceding the completion date of
11 the re-certification course; and
12 (3) Present the endorsement of a Commission-certified school director, agency executive officer, or his
13 designee.

14 (f) If the trainee fails to achieve a score of 100% competence in each motor-skill performance test, he or she shall be
15 authorized one opportunity for a re-test. Failure to score 100% on the re-test will require enrollment in a subsequent
16 LIDAR Instructor course.

17 (g) Those individuals who have previously held LIDAR Instructor Certification and have not exceeded a six
18 year time period from when his or her LIDAR Instructor Certification expired are eligible to reapply for
19 reissuance of the previously held LIDAR Instructor Certification. An application for re-issuance shall contain
20 documentation that the applicant:

- 21 (1) Holds current criminal justice instructor certification, pursuant to 12 NCAC 09B .0302;
22 (2) Has completed the pre-qualification skills assessments;
23 (3) Must complete the Commission-approved LIDAR Instructor Re-Certification Training course,
24 pursuant to 12 NCAC 09B .0210;
25 (4) Has passed the LIDAR Instructor comprehensive state examination with a minimum score of 75;
26 and
27 (5) Has obtained the recommendation of a Commission-certified school director, agency executive or
28 his designee.

29 (h) Applicants for re-issuance of the LIDAR Instructor Certification shall have one opportunity to pass the
30 prequalification skills assessment and the LIDAR Instructor comprehensive state examination. Should an applicant
31 not achieve a passing score on either the prequalification skills assessment or the comprehensive state examination,
32 the applicant shall complete the LIDAR Operator and LIDAR Instructor Course in its entirety.

33 (i) Applicants whose LIDAR Instructor Certification is suspended or revoked shall not qualify for re-issuance.

34 (j) The term of a LIDAR Instructor is three years from the date of issuance. All LIDAR Instructors seeking re-
35 certification shall complete the re-certification course, as outlined in 12 NCAC 09B .0218, within 12 months of the
36 expiration of the initial certification period. The 12-month period does not extend the instructor certification period.

1 (k) The North Carolina Justice Academy is the only Commission-accredited school authorized to administer the
2 LIDAR Instructor and LIDAR Instructor Re-Certification Courses.

3

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

5 *Eff. May 1, 2004;*

6 *Amended Eff. November 1, 2007;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
8 *2019;*

9 *Amended Eff. October 1, 2025; April 1, ~~2022~~ 2022;*

10 *Readopted Eff. January 1, 2027.*

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12