PROPOSED RULE AMENDMENTS

Public Hearing:

August 14, 2019 – 10:00 am

Full Commission Vote:

August 16, 2019 - 9:00 am

Wake Technical Community College
Public Safety Training Center
321 Chapanoke Rd.
Raleigh, NC 27502

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:

Charminique Williams
Department of Justice
Criminal Justice Standards Division
PO Drawer 149
Raleigh, NC 27602.
Title: Certification and Training for School Resource Officers, Topical Areas, Instructor Responsibilities
Agency: Criminal Justice Education and Training and Standards Commission
Contact: Charminique Williams
Impact Summary: State Government: No
Local Government: No
Substantial Impact: No
Small Business: No

12 NCAC 09B .0313 Certification and Training for School Resource Officers
12 NCAC 09F .0102 Topical Areas
12 NCAC 09F .0105 Instructor Responsibilities

Statutory authority for the rule change: G.S. 17C-6; 17C-10; 14-415.12; 14-415.13.

Amendment: On May 24, 2019, the Criminal Justice Education and Training Standards Commission proposed amendments to the aforementioned rules in order to:

To specify the training requirements for School Resource Officers. To clarify the purpose and requirements for several of the topical areas of instruction received by Conceal Carry Handgun Instructor students.

☐ State Impact: None
☐ Local Government Impact: No
☐ Substantial Economic Impact: No
☐ Small Business Impact: No

*Rules begin on the following page
12 NCAC 09B.0313 is proposed for amendment as follows:

12 NCAC 09B.0313 CERTIFICATION AND TRAINING FOR SCHOOL RESOURCE OFFICER OFFICERS

(a) The School Resource Officer-training course for law enforcement officers shall provide the trainee with the skills and knowledge to perform in the capacity of a School Resource Officer. The course shall be for a period of 40 hours. A School Resource Officer (SRO) is defined as any law enforcement officer assigned to one or more public schools within a public school unit, who works in a school at least 20 hours per week for more than 12 weeks per calendar year to assist with all of the following:

1. School safety.
2. School security.
3. Emergency preparedness.
4. Emergency response.
5. Any additional responsibilities related to school safety or security assigned by the officer's employer while the officer is acting as a School Resource Officer.

These requirements shall be consistent with any written memorandum of understanding between the public school unit and the law enforcement agency governing the School Resource Officer.

(b) The "School Resource Officer Training" course published by the North Carolina Justice Academy shall be used as the curriculum for this training course. Copies of this publication may be inspected at the office of the agency:

Criminal Justice Standards Division
North Carolina Department of Justice
4700 Tryon Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602

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

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

(b) Law enforcement officers assigned by their agency to perform duties as a School Resource Officer shall:

(1) have been issued general certification by the North Carolina Criminal Justice Education and Training Standards Commission as a law enforcement officer; and

(2) have until 12/31/2020 to complete the Basic School Resource Officer training course, if they are acting in the capacity of a School Resource Officer between 10/01/2018 and 12/31/2019. Any officer assigned as a School Resource Officer effective 10/01/2020 or later shall complete the "School Resource Officer Training" course pursuant to Paragraph (f) of this Rule, within one year after being assigned as a School Resource Officer. Law enforcement officers who previously completed the training pursuant to Paragraph (f) of this rule and who have been continually assigned as an SRO pursuant to Paragraph (a) of this Rule shall be credited with completion of the "Basic School Resource Officer Training."
(c) A law enforcement officer assigned to one or more public schools within a public school unit, who works in a school at least 20 hours per week for more than 12 weeks per calendar year and who has not completed the initial training as established by subsection (f) of this section shall not work in a school as a School Resource Officer until the officer has completed the initial training as established by subsection (f) of this section.

(d) The agency head shall submit to the Criminal Justice Standards Division a Form F-20 Commission School Resource Officer Assignment Form for the person(s) selected to act as a School Resource Officer for the agency. The Form F-20 is located on the agency’s website: https://ncdoj.gov/getdoc576e353e-0debc4e84-8ce4-c9d17985341fsro-form.aspx and must be completed in its entirety.

(e) The term of certification as a School Resource Officer is indefinite, provided the School Resource Officer completes during each calendar year a minimum of (1) hour of School Resource Officer refresher training authored by North Carolina Justice Academy. For School Resource Officers who complete the basic SRO training requirement in 2020 or earlier, this requirement becomes effective 1/1/2021. Otherwise, this requirement becomes effective the year following the officer’s successful completion of the Basic School Resource Officer Training course. A certified School Resource Officer who has not completed the refresher training during a calendar year as established by this section shall not work in a school as a School Resource Officer until the officer has completed the required refresher training as established by this section.

Law Enforcement officers assigned by their agency to perform duties as a School Resource Officer shall:

(1) have been issued general certification by the NC Criminal Justice Education and Training Standards Commission as a law enforcement officer; and

(2) have completed, or complete within one year after being assigned, as a School Resource Officer, the School Resource Officer “School Resource Officer Training” course pursuant to Paragraph (b) of this Rule.

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

Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602

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

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

History Note: Authority G.S. 17C-6; 17C-10;
Eff. October 1, 2019; October 1, 2018.
12 NCAC 09F.0102 is proposed for amendment as follows:

**TOPICAL AREAS**

The course entitled "Concealed Carry Handgun Training" shall consist of eight hours of instruction and shall include the following identified topical areas:

1. **Legal Issues (two hours):** The student shall be able to explain the following:
   
   (a) the types of situations that in which the use of deadly physical force would be justified;
   
   (b) list the areas where the carrying of a concealed handgun is prohibited;
   
   (c) the requirements of for handgun storage under G.S. 14-315.1; and
   
   (d) the laws governing the carrying of a concealed handgun.

The instructor shall determine the student's level of understanding of the relevant legal issues by administering a written examination.

2. **Handgun Nomenclature:** The students shall be able to: either verbally or in writing to list the primary parts of their personal handguns: the revolver and semiautomatic handgun.

3. **Handgun Safety:** The students shall be able to:
   
   (a) list at least four rules of safe gun handling and demonstrate all of these procedures during range exercises;
   
   (b) list four methods of safely storing a handgun and choose the method most appropriate for their personal use;
   
   (c) describe safety issues relating to the safe carry of a handgun; and
   
   (d) determine the proper storage of their handguns when there are minors in the home.

4. **Handgun Fundamentals:** The students shall demonstrate to the primary parts of their handguns: the revolver and the semiautomatic handgun.
   
   (a) demonstrate how to load both a revolver and a semiautomatic handgun;
   
   (b) demonstrate how to unload both a revolver and a semiautomatic handgun;
   
   (c) describe the operational characteristics of their handguns; and
   
   (d) —— achieve a passing score on a proficiency test administered by the instructor as prescribed in Rule 0405 of this Section.

5. **Marksmanship Fundamentals:** The student shall be able to:
   
   (a) demonstrate a proper handgun grip;
   
   (b) demonstrate either the Weaver or Isosceles Stance;
   
   (c) describe the elements of sight alignment and sight picture; and
   
   (d) demonstrate trigger control in a dry fire exercise.

6. **Presentation Techniques:** The students shall be able to demonstrate to the students the draw or presentation of the revolver and semiautomatic handgun with their handguns: a variety of holster types.
(7) Cleaning and Maintenance: The students instructor shall be able to: demonstrate to the student:
(a) demonstrate how to "field strip" the handguns if their handguns handgun can be field stripped;
(b) describe how to perform a "Function Check" on their personal handguns; and
(c) based on the manufacturer's recommendations, list the lubrication points of their specific handguns.

(8) Ammunition: The students instructor shall be able to list and explain the four components of handgun ammunition.

(9) Proficiency Drills: The students shall be able to:
(a) demonstrate how to check a handgun in order to ensure that it is safe;
(b) during range exercises, demonstrate how to fire a handgun from a ready position;
(c) during range exercises, demonstrate the ability to fire a handgun from various distances;
and
(d) during range exercises, achieve a passing score on a proficiency test administered by the instructor as prescribed in Rule .0405 of this Section.

History Note: Authority G.S. 14-415.12;
Temporary Adoption Eff. November 1, 1995;
Eff. May 1, 1996;
Amended Eff. October 1, 2019; November 1, 2014; February 1, 2013; May 1, 2004.
12 NCAC 09F .0105 is proposed for amendment as follows:

12 NCAC 09F .0105  INSTRUCTOR RESPONSIBILITIES

In delivering the "Concealed Carry Handgun Training" course the instructor shall:

(1) have a valid Concealed Carry Handgun instructor certification issued by the Criminal Justice Standards Division;

(2) file a copy of the proposed firearms course description, outline, and proof of instructor certification along with a written request to conduct the "Concealed Carry Handgun Training" course for approval by the Commission prior to delivery of any instruction required by G.S. 14-415.12;

(3) file a copy of all modifications;

(4) be issued by Commission staff a quantity of certificates as requested by the instructor for course participants which shall bear the instructor's name, the instructor's assigned number, be sequentially numbered, and bear the raised seal of the Commission;

(5) if a Concealed Carry Handgun Instructor relinquishes his or her certification and wants to transfer his or her assigned participants' certificates, to another Concealed Carry Handgun instructor a written request shall be submitted to the Criminal Justice Standards Division Director for approval. The written request shall include the following:
   (a) instructor name and identification number;
   (b) name of business;
   (c) phone number and email address;
   (d) recipient instructor name, identification number;
   (e) business name;
   (f) phone number, email address; and
   (g) list of the assigned certificate numbers for participants to be transferred.

(6)(5) affix the student's name to one certificate and issue that certificate to the student who successfully completes the "Concealed Carry Handgun Training" course;

(7)(6) conduct the training consistent with the guidelines established in 12 NCAC 09F .0102;

(8)(7) administer a written examination examination, that includes at a minimum questions provided by the Commission, which the student shall pass with a minimum score of 70% on the questions provided by the Commission; to the student on the legal issues-block of instruction to demonstrate that the student is knowledgeable in the laws of this State governing the carrying of a concealed handgun and the use of deadly force; and

(9)(8) administer a proficiency examination that demonstrates the student is competent in the firing and safe handling of a handgun. Such examination shall include the following:
   (a) The student fires 30 rounds of ammunition at a bulls-eye or silhouette target from three, five and seven yard distances;
   (b) At each yard distance the student shall fire a minimum of ten rounds; and
21 of the 30 rounds fired by the student hit the target.

If the proficiency examination includes the parameters in (9)(a) and be above, and additional rounds are fired, the student shall pass with a minimum score of 70% on that course of fire.

History Note:  
Authority G.S. 14-415.12; 14-415.13; 
Temporary Adoption Eff. November 1, 1995;  
Eff. May 1, 1996;  
Amended Eff. October 1, 2019; April 1, 2018; May 1, 2004.