

1 12 NCAC 09B .0101 is amended with changes as published in 34:19 NCAC 1760-1773 as follows:

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3 **SUBCHAPTER 09B - STANDARDS FOR CRIMINAL JUSTICE EMPLOYMENT: EDUCATION: AND**
4 **TRAINING**

5
6 **SECTION .0100 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE EMPLOYMENT**

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8 **12 NCAC 09B .0101 MINIMUM STANDARDS FOR CRIMINAL JUSTICE OFFICERS**

9 Every criminal justice officer who is employed in or has received a conditional offer of employment for a certified
10 position ~~employed~~ by an agency in North Carolina shall:

- 11 (1) be a citizen of the United States;
- 12 (2) be at least 20 years of age;
- 13 (3) be of good moral character pursuant to G.S. 17C-10 ~~and~~ as evidenced by the following:
- 14 (a) not having been convicted of a felony;
- 15 (b) not having been convicted of a misdemeanor as defined in 12 NCAC 09B .0111(1) for five
16 years or the completion of any corrections supervision imposed by the courts, whichever
17 is later;
- 18 (c) not having been convicted of an offense ~~that,~~ that would prohibit the possession of a firearm
19 or ammunition, under 18 U.S.C. 922, which is hereby incorporated by reference with
20 subsequent amendments and editions ~~(found and can be found~~ at no cost at
21 (<http://www.gpo.gov/fdsys/pkg/USCODE-2011-title18-part1-chap44-sec922.pdf>),
22 [https://www.govinfo.gov/content/pkg/USCODE-2018-title18/pdf/USCODE-2018-title18-
24 part1-chap44.pdf](https://www.govinfo.gov/content/pkg/USCODE-2018-title18/pdf/USCODE-2018-title18-
23 part1-chap44.pdf); ~~would prohibit the possession of a firearm or ammunition;~~
- 25 (d) having submitted to and produced a negative result on a drug test within 60 days of
26 employment or any in-service drug screening required by the appointing agency that meets
27 the certification standards of the Department of Health and Human Services for Federal
28 Workplace Drug Testing Programs. A list of certified drug testing labs that meet this
29 requirement may be obtained, at no cost, at [https://www.samhsa.gov/programs-
31 campaigns/drug-free-workplace/guidelines-
32 resources/drug-testing/certified-lab-list](https://www.samhsa.gov/programs-
30 campaigns/drug-free-workplace/guidelines-resources/drug-testing/certified-lab-list));
- 33 (e) submitting to a background investigation consisting of the verification of age and education
34 and a criminal history check of local, state, and national files;
- 35 (f) being truthful in providing information to the appointing agency and to the Standards
Division for the purpose of obtaining probationary or general certification;

1 (g) not having pending or outstanding felony charges that, if convicted of such charges, would
2 disqualify the applicant from holding such certification, pursuant to ~~North Carolina~~
3 ~~General Statute~~ G.S. 17C-13; and

4 (h) not ~~having engage engaged~~ in any conduct that brings into question the truthfulness or
5 credibility of the officer, or involves "moral turpitude." "Moral ~~turpitude~~" ~~Turpitude~~" is
6 conduct that is contrary to justice, honesty, or morality, including conduct as defined in: In
7 re Willis 288 re Willis, 299 N.C. 1, 215 S.E. 2d 771 appeal dismissed 423 U.S. 976 (1975);
8 ~~in re~~ State v. Harris, 216 N.C. 746, 6 S.E. 2d 854 (1940); ~~in~~ In re Legg, 325 N.C. 658, 386
9 S.E. 2d 174(1989); in re Applicants for License, 143 N.C. 1, 55 S.E. 635 (1906); ~~in~~ In re
10 Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); State v. Benbow, 309 N.C. 538, 308 S.E.
11 2d 647 (1983); and later court decisions that cite these cases as authority.

12 (4) have been fingerprinted and a search made of local, state, and national files to disclose any criminal
13 record;

14 (5) have been examined and certified by a licensed surgeon, physician, physician assistant, or nurse
15 practitioner to meet physical requirements necessary to ~~properly~~ fulfill the officer's particular
16 responsibilities and shall have produced a negative result on a drug screen administered according
17 to the following specifications:

18 (a) the drug screen shall be a urine test consisting of an initial screening test using an
19 immunoassay method and a confirmatory test on an initial positive result using a gas
20 chromatography/mass spectrometry (GC/MS) or other ~~reliable~~ initial and confirmatory
21 tests ~~as may, from time to time, be~~ authorized or mandated by the Department of Health
22 and Human Services for Federal Workplace Drug Testing Programs;

23 (b) a chain of custody shall be maintained on the specimen from collection to the eventual
24 discarding of the specimen;

25 (c) the drug screen shall test for the presence of at least cannabis, cocaine, phencyclidine
26 (PCP), opiates, and amphetamines or their metabolites;

27 (d) the test threshold values meet the requirements established by the Department of Health
28 and Human Services for Federal Workplace Drug Testing Programs, as found in 82 FR
29 7920 (2017) incorporated by reference, including later amendments and editions ~~found at~~
30 ~~no cost at~~ <https://www.federalregister.gov/documents/2017/01/23/2017-00979/mandatory-guidelines-for-federal-workplace-drug-testing-programs>;

31 ~~(found at no cost at~~ <https://www.federalregister.gov/documents/2017/01/23/2017-00979/mandatory-guidelines-for-federal-workplace-drug-testing-programs>);

32 ~~(found at no cost at~~ <https://www.federalregister.gov/documents/2017/01/23/2017-00979/mandatory-guidelines-for-federal-workplace-drug-testing-programs>);
33
34 (e) the test conducted shall be not more than 60 days old, calculated from the time when the
35 laboratory reports the results to the date of employment; ~~and~~

1 (f) the laboratory conducting the test shall be certified for federal workplace drug testing
2 programs, and shall adhere to applicable federal rules, regulations, and guidelines
3 pertaining to the handling, testing, storage, and preservation of samples;

4 (6) have been administered a psychological screening examination by a clinical psychologist or
5 psychiatrist licensed to practice in North Carolina or by a clinical psychologist or psychiatrist
6 authorized to practice in accordance with the rules and regulations of the United States Armed
7 Forces within one year prior to employment by the employing agency to determine the officer's
8 mental and emotional suitability to properly fulfill the responsibilities of the position;

9 (7) have been interviewed personally by the ~~Department~~ department head or ~~his~~ the department head
10 representative or representatives to determine such things as the applicant's appearance, demeanor,
11 attitude, and ability to ~~communicate;~~ communicate; and ~~make the following notifications;~~

12 (8) make the following notifications:

13 (8) (a) within thirty days of the qualifying event notify the Standards Division and the
14 appointing department head in writing of all criminal offenses that for which the officer is
15 arrested for or charged or arrested. This shall include traffic offenses identified in the Class
16 B Misdemeanor Manual and offenses of driving under the influence (DUI) or driving while
17 impaired ~~(DWD)~~ (DWI).

18 (b) within thirty days of the qualifying event notify the Standards Division and the
19 appointing department head in writing of all criminal offenses for which the officer with,
20 pleads no contest to, pleads guilty to or of which the officer is found guilty. guilty of as
21 well as Domestic Violence Orders (50B) that are issued by a judicial official. This shall
22 include all criminal offenses except minor traffic offenses identified in the Class B
23 Misdemeanor Manual and offenses of driving under the influence (DUI) or driving while
24 impaired (DUI); and shall specifically include any offense of Driving Under The Influence
25 (DUI) or Driving While Impaired (DWI). A minor traffic offense is defined, for purposes
26 of this Subparagraph, as an offense for which the maximum punishment allowable by law
27 is 60 days or less. Other offenses under Chapter 20 (Motor Vehicles) of the General Statutes
28 of North Carolina or similar laws of other jurisdictions which shall be reported to the
29 Standards Division expressly include G.S. 20-139 (persons under influence of drugs), G.S.
30 20-28(b)(driving while license permanently revoked or permanently suspended), and G.S.
31 20-166 (duty to stop in event of accident). The notifications required under this
32 Subparagraph shall be in writing and shall specify the nature of the offense, the court in
33 which the case was handled, the date of the arrest or criminal charge, the final disposition,
34 and the date thereof. The notifications required under this Subparagraph shall be received
35 by the Standards Division within 30 days of the date of arrest or charge and of case
36 disposition. The requirements of this Subparagraph shall be applicable at all times during
37 which the officer is certified by the Commission and shall also apply to all applicants for

1 certification. Officers required to notify the Standards Division under this Subparagraph
 2 shall also make the same notification to their employing or appointing executive officer
 3 within 20 days of the date the case was disposed of in court. The executive officer, provided
 4 he has knowledge of the officer's arrests or criminal charges and final dispositions, shall
 5 also notify the Standards Division of all arrests or criminal charges and final dispositions
 6 within 30 days of the date the case was disposed of in court. Receipt by the Standards
 7 Division of a single notification, from either the officer or the executive officer, shall be
 8 sufficient notice for compliance with this Subparagraph.

9 (c) within thirty days of service, officers shall notify the Standards Division of all Domestic
 10 Violence Protective Order (G.S. 50B) and Civil No Contact Orders (G.S. 50C) that are
 11 issued by a judicial official against the officer;

12 (d) within thirty days of the date the case was disposed of in court, the department head,
 13 provided he or she has knowledge of the officer's arrests or criminal charges and final
 14 dispositions, shall also notify the Standards Division of arrests or criminal charges and final
 15 disposition;

16 [(c)(d)] within thirty days of the issuance of all Domestic Violence Protective Orders
 17 (G.S.50B) and Civil No Contact Orders (G.S.50C), the department head, provided he or
 18 she has knowledge of the order, shall also notify the Standards Division of these orders.

19 (9) [(8)] The required notifications in this Rule shall be in writing and shall specify the nature of the offense
 20 or order, the court in which the case was handled, the date of the arrest, criminal charge, or service
 21 of the order, and the final disposition. The notification shall include a certified copy of the order or
 22 court documentation and final disposition from the Clerk of Court in the county of adjudication. The
 23 requirements of this [subparagraph] item shall be applicable at all times during which the officer is
 24 employed and certified by the Commission and shall also apply to all applicants for certification.
 25 Receipt by the Standards Division of a single notification, from the officer or the department head,
 26 shall be sufficient notice for compliance with this subparagraph.

27 [(9) — notify the Standards Division within thirty days of being notified that because of the officer's lack
 28 of honesty, truthfulness, or credibility, the officer may not testify in court as a law enforcement
 29 officer. This provision shall apply only to notifications (1) made in writing by a superior court judge,
 30 district court judge, federal judge, district attorney, assistant district attorney, United States
 31 Attorney, Assistant United States Attorney, or the officer's department head, or (2) made in open
 32 court by a superior court judge, district court judge, or federal judge. The officer's notification to
 33 the Standards Division shall be in writing and shall state who notified the officer that the officer
 34 may not testify in court as a law enforcement officer and when the officer was so notified. An officer
 35 required to notify the Standards Division under this subparagraph shall make the same notification
 36 to his or her department head within thirty days of being notified that he or she may not testify in
 37 court as a law enforcement officer. A department head who is notified that an officer in his or her

1 ~~agency has been notified that the officer may not testify in court as a law enforcement officer shall~~
2 ~~also notify the Standards Division within thirty days of the department head's receipt of such notice.~~
3 ~~Receipt by the Standards Division of a single notification, from either the officer or the department~~
4 ~~head, shall be sufficient notice for compliance with this subparagraph.]~~

5 *History Note: Authority G.S. 17C-6; 17C-10;*
6 *Eff. January 1, 1981;*
7 *Amended Eff. April 1, 2018; October 1, 2017; September 1, 2001; April 1, 1999; January 1, 1995;*
8 *November 1, 1993; July 1, 1990;*
9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
10 *2019.*
11 *Amended Eff. October 1, 2020.*

1 12 NCAC 09B .0202 is amended as published in 34:19 NCR 1760-1773 as follows:

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12 NCAC 09B .0202 RESPONSIBILITIES OF THE SCHOOL DIRECTOR

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

- (1) Formalize and schedule the course curriculum in accordance with the curriculum standards established in this Subchapter;
- (2) Select and schedule instructors who are certified by the Commission;
- (3) Provide each instructor with a current Commission course outline and all necessary additional information concerning the instructor's duties and responsibilities;
- (4) Notify each instructor that he or she shall comply with the Basic Law Enforcement Training Course Management Guide and provide him or her access to the most current version of the Course Management Guide;
- (5) Review each instructor's lesson plans and other instructional materials for conformance to Commission standards and to minimize repetition and duplication of subject matter;
- (6) Arrange for the availability of appropriate audiovisual aids and materials, publications, facilities, and equipment for training in all topic areas;
- (7) Develop, adopt, reproduce, and distribute any supplemental rules and requirements determined by the school to be necessary or appropriate for:
 - (A) effective course delivery;
 - (B) establishing responsibilities and obligations of agencies or departments employing or sponsoring course trainees; and
 - (C) regulating trainee participation and demeanor, ensuring trainee attendance, and maintaining performance records;
- (8) If appropriate, recommend housing and dining facilities for trainees;
- (9) Administer the course delivery in accordance with Commission ~~procedures and~~ standards, give consideration to advisory guidelines issued by the ~~Commission; Commission, and ensure that the training offered is safe and effective;~~
- (10) Maintain ~~direct~~ supervision, direction, and control over the performance of all persons to whom any portion of the planning, development, presentation, or administration of a course has been delegated. The comprehensive final examination shall be administered by the Criminal Justice Education and Training Standards Commission; and
- (11) Report the completion of each presentation of a Commission-certified criminal justice training course to the Commission.
- (12) All forms required for submission to the Commission are located on the Agency's website: <http://www.ncdoj.gov/About-DOJ/Law-Enforcement-Training-and-Standards/Criminal-Justice-Education-and-Training-Standards/Forms-and-Publications.aspx>.

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

- 3 (1) Deliver training in accordance with the most current version of the Basic Law Enforcement Training
4 Course Management Guide as published by the North Carolina Justice Academy;
- 5 (2) Schedule course presentation to include 12 hours of instruction each week during consecutive
6 calendar weeks, except that there may be as many as three one-week breaks until course
7 requirements are completed;
- 8 (3) Schedule only specialized instructors certified by the Commission to teach those high-liability areas
9 as specified in Rule .0304(a) of this Subchapter as either the lead instructor or as assistant instructors
10 or role players;
- 11 (4) With the exception of the First Responder, Physical Fitness, Explosives and Hazardous Materials,
12 and topical areas outlined in Rule .0304(a) of this Subchapter, schedule one specialized instructor
13 certified by the Commission for every six trainees while actively engaged in a practical performance
14 exercise;
- 15 (5) Schedule one specialized instructor certified by the Commission for every eight trainees while
16 actively engaged in a practical performance exercise in the topical area "Subject Control Arrest
17 Techniques;"
- 18 (6) Schedule no single individual to instruct more than 35 percent of the total hours of the curriculum
19 during any one delivery of the Basic Law Enforcement Training Course presentation;
- 20 (7) Not less than 30 days before commencing delivery of the Basic Law Enforcement Training Course,
21 submit to the Commission a Pre-Delivery Report of Training Course Presentation pursuant to 12
22 NCAC 09C .0211. The Pre-Delivery Report (Form F-10A) shall indicate a requested date and
23 location for the administration of the state comprehensive exam, and include the following
24 attachments:
 - 25 (A) a course schedule showing the arrangement of topical presentations and proposed
26 instructional assignments; and
 - 27 (B) a copy of any rules and requirements for the school. A copy of such rules shall also be
28 given to each trainee and to the executive officer of each trainee's employing or sponsoring
29 agency or department at the time the trainee enrolls in the course;
- 30 (8) Monitor, or designate an instructor certified by the Commission to monitor, a presentation of each
31 instructor once during each three year certification period in each topic taught by the instructor and
32 prepare a written evaluation on the instructor's performance and suitability for subsequent
33 instructional assignments. The observations shall be of sufficient duration to ensure that the
34 instructor is using the Instructional System Design model, and that the delivery is objective-based,
35 documented by, and consistent with a Commission-approved lesson plan. For each topic area, the
36 School Director's evaluation shall be based upon the course delivery observations, the instructor's
37 use of the approved lesson plan, and the results of the student evaluations of the instructor. For

probationary instructors, the evaluations conducted by another instructor shall be prepared on the Criminal Justice Instructor Evaluation (Form F-16) and forwarded to the Commission. Based on this evaluation, the School Director shall recommend approval or denial of requests for General Instructor Certification. For all other instructors, these evaluations shall be prepared on the Criminal Justice Instructor Evaluation (Form F-16), be kept on file by the school for a period of three years, and shall be made available for inspection by a representative of the Commission upon request. In the event the evaluation of an instructor indicates that his or her performance was less than acceptable, the School Director shall forward a copy of the evaluation to the Commission. Any instructor who is evaluating the instructional presentation of another instructor shall hold certification in the same instructional topic area as that for which the instructor is being evaluated;

- (9) Administer or designate a staff person to administer appropriate tests during course delivery:
 - (A) to determine and record the level of trainee comprehension and retention of instructional subject- matter;
 - (B) to provide a basis for a final determination or recommendation regarding the minimum degree of knowledge and skill of each trainee to function as an inexperienced law enforcement officer; and
 - (C) to determine subject or topic areas of deficiency for the application of Rule .0405(a)(3) of this Subchapter; and
- (10) Not more than 10 days after the conclusion of a school's offering of Basic Law Enforcement Training, submit to the Commission a Post-Delivery Report of Training Course Presentation (Form F-10B) that shall include:
 - (A) a "Student Course Completion" form for each individual enrolled on the day of orientation;
 - (B) a "Certification and Test Score Release" form;
 - (C) the "Police Officer Physical Ability Test (POPAT) Post-Course" final form; and
 - (D) Orientation class enrollment roster.

(c) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each Commission-certified "Criminal Justice Instructor Training Course," the School Director shall:

- (1) Schedule course presentation to include a minimum of 78 hours of instruction during the time period the class is taught until course requirements are completed.
- (2) Schedule at least one evaluator for each six trainees, as follows:
 - (A) no evaluator shall be assigned more than six trainees during a course delivery;
 - (B) each evaluator, as well as the instructors, shall have completed a Commission-certified instructor training course or an equivalent instructor training course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise; and
 - (C) each instructor and evaluator shall document successful participation in a program presented by the North Carolina Justice Academy for purposes of familiarization and

1 supplementation relevant to delivery of the instructor training course and trainee
2 evaluation.

3 (3) Not fewer than 30 days before commencing delivery of the course, submit to the Commission a Pre-
4 Delivery Report of Training Course Presentation [Form F-10A(ITC)]with the following
5 attachments:

6 (A) a course schedule showing the arrangement of topical presentations and proposed
7 instructional assignments;

8 (B) the names and last four digits of the social security numbers of all instructors and
9 evaluators; and

10 (C) a copy of any rules, and requirements for the school; and

11 (4) Not more than 10 days after course completion, submit to the Commission a Post-Delivery Report
12 [Form F-10B(ITC)] containing the following:

13 (A) class enrollment roster;

14 (B) a course schedule with the designation of instructors and evaluators utilized in delivery;

15 (C) scores recorded for each trainee on the 70 minute skill presentation; and

16 (D) designation of trainees who completed the course in its entirety and whom the School
17 Director finds to be competent to instruct.

18 (d) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating, and delivering each Commission-
19 certified RADAR, RADAR and Time-Distance, Time-Distance, or LIDAR speed measurement operator training
20 course or re-certification course, the School Director shall:

21 (1) select and schedule speed measurement instrument instructors who are certified by the Commission
22 as instructors for the specific speed measurement instruments in which the trainees are to receive
23 instruction as follows:

24 (A) provide to the instructor the Commission form(s) for motor skill examination on each
25 trainee;

26 (B) require the instructor to complete the motor skill examination form on each trainee
27 indicating the level of proficiency obtained on each specific instrument; and

28 (C) require each instructor to sign each individual form and submit the original to the School
29 Director;

30 (2) not fewer than 30 days before the scheduled starting date, submit to the Director of the Standards
31 Division a Pre-Delivery Report of Speed Measuring Instrument Course Presentation [Form F-10A
32 (SMI)] that shall contain a period of course delivery including the proposed starting date, course
33 location, requested date and location for the administration of the state exam, and the number of
34 trainees to be trained on each type of approved speed measurement instrument. The Director of the
35 Standards Division shall review the request and notify the School Director within thirty business
36 days if the request is approved or denied; and

1 (3) upon completing delivery of the Commission-certified course, and not more than 10 days after the
2 conclusion of a school's offering of a certified RADAR, RADAR and Time-Distance, Time-
3 Distance, or LIDAR speed measurement operator training course or re-certification course, the
4 School Director shall notify the Commission regarding the progress and achievements of each
5 trainee by submitting a Post-Delivery Report of Training Course Presentation [Form F-10B (SMI)].
6 This report shall include the original motor-skill examination form(s) completed and signed by the
7 certified instructor responsible for administering the motor-skill examination to the respective
8 trainee.
9

10 *History Note: Authority G.S. 17C-6;*
11 *Eff. January 1, 1981;*
12 *Amended Eff. November 1, 1981;*
13 *Readopted w/change Eff. July 1, 1982;*
14 *Amended Eff. January 1, 2015; June 1, 2013; April 1, 2009; November 1, 2007; January 1, 2006;*
15 *May 1, 2004; August 1, 2000; January 1, 1996; November 1, 1993; December 1, 1987; January 1,*
16 *1985;*
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, 2021; July 1, 2020.*
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1 12 NCAC 09B .0209 is amended with changes as published in 34:19 NCR 1760-1773 as follows:

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

4 (a) The ~~instructor training~~ Instructor Training course required for ~~general instructor~~ General Instructor certification
 5 shall consist of a minimum of ~~78 90~~ hours of instruction, as defined in Paragraph (c), within 15-business days, [a 15-
 6 day period.] hours of instruction presented during a continuous period of not more than two weeks. ~~[instructions.]~~

7 (b) Each ~~instructor training~~ Instructor Training course shall be designed to provide the trainee with the skills and
 8 knowledge to perform the ~~function~~ functions of a criminal justice instructor.

9 (c) Each ~~instructor training~~ Instructor Training course shall include the following identified topic areas and minimum
 10 instructional hours for each area:

11	(1)	Orientation and Pre-Test	34 Hours
12	(2)	Instructional Systems Design (ISD)	68 Hours
13	(3)	Law Enforcement Instructor Liabilities and Legal Responsibilities	3 Hours
14	(4)	Criminal Justice Instructional Leadership	4 Hours
15	(5)	Lesson Plan Preparation: Professional Resources	3 Hours
16	(6)	Lesson Plan Development and Formatting	4 Hours
17	(7)	Adult Learning	64 Hours
18	(8)	Instructional Styles and Platform Skills	58 Hours
19	(9)	Classroom Management	34 Hours
20	(10)	Active Learning: Demonstration and Practical Exercises	68 Hours
21	(11)	The Evaluation Process of Learning	45 Hours
22	(12)	Audio Visual Aids	46 Hours
23	(13)	Student 8-Minute Introductions and Video Critique	5 Hours
24	(14)	Student Performance: First 35-Minute Presentation	6 Hours
25		Second 35-Minute Presentation	6 Hours
26		Final 70-Minute Presentation and Review	8 Hours
27	(15)	Course Closing and Post-test	24 Hours

28 ~~[(d) The Instructor Course shall be completed in one of the following two methods:~~

29 ~~—— (1) Completion of all topics specified in Paragraph (c) of this Rule within a fifteen day period; or~~

30 ~~—— (2) individual may complete topics contained in Paragraph (c)(3), (c)(4), and (c)(5) of this Rule by either in~~
 31 ~~person or online delivery via a Commission accredited delivery site within 60 days prior to the delivery of topics~~
 32 ~~specified in paragraph (c)(1), (c)(2), and (c)(6) thru (c)(15) of this Rule.]~~

33 ~~(d) [(d)(e)]~~ The "Instructor Training" manual published by the North Carolina Justice Academy shall be the curriculum
 34 for instructor training courses. Copies of this publication may be inspected at the agency:

35 Criminal Justice Standards Division
 36 North Carolina Department of Justice
 37 1700 Tryon Park Drive

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Post Office Drawer 149
Raleigh, North Carolina 27602
North Carolina Justice Academy
Post Office Drawer 99
Salemberg, North Carolina 28385

and may be purchased at the cost of printing and postage from the Academy at the following address:

*History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. July 1, 2018; April 1, 2018; January 1, 2018; January 1, 2015; December 1, 2009;
August 1, 2005; November 1, 1998; January 1, 1995; March 1, 1990; July 1, 1989; January 1,
1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
2019.
January 1, 2021.*

1 12 NCAC 09B .0301 is amended as published in 34:19 NCR 1760-1773 as follows:

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3

SECTION .0300 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE INSTRUCTORS

4

12 NCAC 09B .0301 CERTIFICATION OF INSTRUCTORS

6 (a) A person participating in a Commission-certified criminal justice training course or program as an instructor,
7 teacher, professor, lecturer, or other participant making presentations to the class shall first be certified by the
8 Commission as an instructor.

9 (b) The Commission shall certify instructors under the following categories: General Instructor Certification,
10 Specialized Instructor Certification, or Professional Lecturer Certification as outlined in Rules .0302, .0304 and 0306
11 of this ~~Section. section. Section~~. Instructor certification shall be granted on the basis of documented qualifications of
12 experience, education, and training in accordance with the requirements of this ~~Section section Section~~ and as stated
13 on the applicant's Request for Instructor Certification Form.

14 (c) In addition to all other requirements of this Section, each instructor certified by the Commission to teach in a
15 Commission-certified course shall remain competent in his or her specialized areas. Such competence shall include
16 remaining current in the instructor's area of expertise, which shall be demonstrated by attending and completing all
17 updated instructor training courses required by the Commission.

18 (d) If a person certified as an instructor by the Commission is found to have knowingly and willfully violated any
19 provision or requirement of the ~~Rules rules~~ in this ~~Subchapter. subchapter, Subchapter,~~ the Commission shall take
20 action to correct the violation and to ensure that the violation does not recur, including:

- 21 (1) issuing an oral warning and request for compliance;
- 22 (2) issuing a written warning and request for compliance;
- 23 (3) issuing an official written reprimand;
- 24 (4) suspending the individual's certification for a specified period of time or until acceptable corrective
25 action is taken by the individual; and
- 26 (5) revoking the individual's certification.

27 (e) The Commission shall deny, suspend, or revoke an instructor's certification when the Commission finds that the
28 person:

- 29 (1) has failed to meet and maintain any of the requirements for qualification;
- 30 (2) has failed to remain competent in the person's areas of expertise;
- 31 (3) has failed to deliver training in a manner consistent with the instructor lesson plans outlined in the
32 "Instructor Training Manual" as found in ~~Rule rule Rule~~ .0209 of this ~~Subchapter; subchapter;~~
33 ~~Subchapter;~~
- 34 (4) has failed to follow specific guidelines outlined in the "Basic Law Enforcement Training Course
35 Management Guide" as found in ~~Rule rule Rule~~ .0205 of this ~~Subchapter; subchapter; Subchapter;~~
- 36 (5) has demonstrated ~~"unprofessional personal" unprofessional personal~~ conduct in the delivery of
37 Commission approved or mandated ~~Commission mandated~~ training. For the purposes of this

Subparagraph, unprofessional personal conduct ~~is identified as: means an act that is: job-related conduct that constitutes a violation of State or federal law; conviction or commission of a criminal offense, as set out in 12 NCAC 09A .0204; the willful violation of Rules of this Chapter; conduct that is detrimental to instruction in the Commission's mandated courses; the abuse of a client or student whom the instructor is teaching or supervising or falsification of an instructor application or in other employment documentation. For purposes of this Chapter, conduct is "detrimental to instruction" if the conduct is demeaning or disruptive to the learning environment, thus impeding the students' ability to learn;~~

~~(a) job-related conduct that constitutes a violation of state or federal law;~~

~~(b) a conviction or commission of a criminal offense, as set out in [12 NCAC 09A.0204; Rule .0204 of this Section];~~

~~(c) the willful violation of Rules [rules] of this Chapter; [chapter];~~

~~(d) conduct that is detrimental to instruction in the Commission's mandated courses. Conduct is "detrimental to instruction" if the conduct is demeaning or disruptive to the learning environment;~~

~~(e) the physical [and/or] or verbal abuse of a client or student who the instructor is teaching or supervising; or~~

~~(f) falsification of an instructor application or other employment documentation;~~

~~(6) is an instructor, School Director, or Qualified Assistant and [Assistant]; is involved in the instruction of (for instructors) or oversight of (for School Directors and Qualified Assistants) a student with whom the instructor, School Director, or Qualified Assistant has a close personal relationship such as, familial, financial, dating, or sexual, [relationship]; even if consensual; and fails to take immediate and appropriate corrective action. Appropriate corrective action requires the instructor, School Director, or Qualified Assistant to notify his or her managing personnel in writing of the relationship and requires the instructor, School Director, or Qualified Assistant to stop instructing or overseeing the student with whom the relationship exists;~~

~~(A) [(a)] the written notice to managing personnel shall include:~~

~~(i) [School/]school/agency name;~~

~~(ii) [Name] name of course;~~

~~(iii) [Name] name of the instructor, School Director, or Qualified Assistant;~~

~~(iv) [Name]-name of student;~~

~~(v) [Name]-name of managing [personnel, and,] peronnel; and~~

~~(vi) [Nature]-nature of the relationship;~~

~~(B) [(b)] the written notice from the school/agency managing personnel to the Standards Division shall be submitted within ten days of receipt of notice from the instructor, School Director, or Qualified Assistant and shall include:~~

~~(i) [School/]school/agency name;~~

- (ii) [Name] name of course;
- (iii) [Name] name of the instructor, School Director, or Qualified Assistant;
- (iv) [Name] name of student;
- (v) [Name] name of managing personnel;
- (vi) [Nature] nature of the relationship, and;
- (vii) [Explanation] explanation of action taken to ensure the named instructor, School Director, or Qualified Assistant is not in violation of this Rule;

- ~~(7)(6)~~ has demonstrated instructional incompetence;
- ~~(8)(7)~~ has knowingly and willfully obtained or attempted to obtain instructor certification by deceit, fraud, or misrepresentation;
- ~~(9)(8)~~ has failed to meet or ~~involve moral turpitude~~ maintain good moral character as defined in: In re Willis, 288 N.C. 1, 215 S.E.2d 771, appeal ~~dismissed~~ dismissed, 423 U.S. 976 (1975); State v. Harris, 216 N.C. 746, 6 S.E.2d 854 (1940); In re Legg, 325 N.C. 658, 386 S.E. 2d 174 (1989); In re Applicants for License, 143 N.C. 1, 55 S.E. 635 (1906); In re Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); State v. Benbow, 309 N.C. 538, 308 S.E.2d 647 (1983); and later court decisions that cite these cases as authority, and as required to discharge the duties of a criminal justice instructor;
- ~~(10)(9)~~ has failed to deliver training in a manner consistent with the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program as found in 12 NCAC 09H .0102;
- ~~(11)(10)~~ has knowingly and willfully aided or attempted to aid any person in obtaining qualification or certification under the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program by deceit, fraud, or misrepresentation;
- ~~(12)(11)~~ has committed or been convicted of an offense that which could result in the denial, suspension, or revocation of an officer's law enforcement certification, pursuant to 12 NCAC 09G .0504; or
- ~~(13)(12)~~ has knowingly made a material misrepresentation of any information required for certification or accreditation.

(f) When a person certified as a law enforcement officer by the North Carolina Criminal Justice Education and Training Standards Commission (Commission), the North Carolina Sheriffs Education and Training Standards Commission (Sheriffs' Commission), the North Carolina Department of Insurance, Office of State Fire Marshal, Fire Rescue Commission (Fire Commission), Office of Emergency Medical Services North Carolina Company/Campus Police Program; or a North Carolina, out of state or federal approving, certifying or licensing agency agency; has been denied certification or had his or her certification suspended or revoked by their respective Commission, or agency the State or local law enforcement officer shall report the suspension or revocation to the Criminal Justice Standards Division within five 5 five days. He or she shall also have his or her The General Instructor Certification (if applicable) shall be automatically suspended or revoked for the same time period as his or her respective Commission certification. certification in accordance with the following:

- 1 (1) ~~this~~ This suspension or revocation of the General Instructor certification shall also include
2 suspension or revocation to any Commission recognized ~~Specialized~~ specialized or additional
3 instructor certification, as outlined in ~~Rule 304 of this Subchapter. 12 NCAC 09B .0304.~~
- 4 (2) ~~if~~ If the term of suspension or revocation exceeds the expiration date of the instructor's initial
5 certification expiration date, he or she shall forfeit their certifications as a General Instructor and
6 Specialized Instructor and shall be required to obtain certification pursuant to the requirements of
7 ~~Rule rule Rule~~ .0302 of this ~~Subchapter section Section~~ before any instruction may be delivered in
8 any Commission-approved or mandated training, including the completion of a subsequent General
9 Instructor's training course in its ~~entirety-entirety; and~~
- 10 (3) ~~if~~ If the term of suspension or revocation does not exceed the expiration date of the instructor's initial
11 certification expiration date, the instructor shall be reinstated as a General Instructor only upon
12 reinstatement of his or her law enforcement officer certification by the Commission. The terms of
13 renewal for the existing General Instructor and Specialized Instructor certifications shall remain
14 subject to all renewal requirements pursuant to Paragraph (d) of Rule .0303 of this Subchapter ~~12~~
15 ~~NCAC 09B .0303(d)~~ by the next ~~immediate~~ expiration date.

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17 *History Note:* Authority G.S. 17C-6;
18 Eff. January 1, 1981;
19 Amended Eff. December 1, 2018; October 1, 2017; October 1, 2009; August 1, 2004; April 1, 1999;
20 July 1, 1991; January 1, 1985;
21 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
22 2019;
23 Amended Eff. October 1, 2020; August 1, 2019.
24

1 12 NCAC 09B .0410 is proposed for amendment as follows:

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

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

5 (1) ~~satisfactorily~~ complete all of the required coursework, specifically including each of the introductory
6 ~~trainee presentations with video taping, playback, and critique as specified in the "Instructor~~
7 ~~Training Manual" as published by the North Carolina Justice Academy. course work pursuant to 12~~
8 ~~NCAC 09B .0209. All trainee presentations shall have met the criteria and conditions specified in~~
9 ~~the course orientation of the "Instructor Training Manual;" Manual" as published by the North~~
10 ~~Carolina Justice Academy; and~~

11 (2) attain the passing score on each performance area as specified in the course abstract of the
12 "Instructor 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 ~~original two week~~
15 ~~course.~~

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

18 *Eff. January 1, 1985;*

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

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
21 *2019.*

22 *Amended Eff. January 1, 2021.*

1 12 NCAC 09G .0302 is amended as published in 34:19 NCR 1760-1773 as follows:

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12 NCAC 09G .0302 NOTIFICATION OF CRIMINAL CHARGES/CONVICTIONS

~~(a) (a) Every person employed and certified as a correctional officer or probation/parole officer shall make the following notifications: notify the Standards Division of all criminal offenses for which the officer is charged, arrested, pleads no contest, pleads guilty, or of which the officer is found guilty. Criminal offenses shall include all felony offenses and shall include those misdemeanor offenses delineated in 12 NCAC 09G .0102.~~

(1) within thirty days of the qualifying event notify the Standards Division and the appointing department head in writing of all criminal offenses for which the officer is ~~charged~~ charged or arrested;

(2) within thirty days of the qualifying event notify the Standards Division and the appointing department head in writing of all criminal offenses for which the officer pleads no contest, pleads guilty, or of which the officer is found guilty. This shall include traffic offenses identified in the Class B Misdemeanor Manual and offenses of driving under the influence (DUI) or driving while impaired (DWI);

(3) within thirty days of service, officers shall notify the Standards Division of all Domestic Violence Protective Order (G.S. 50B) and Civil No Contact Orders (G.S. 50C) that are issued by a judicial official against the officer;

~~(b) The notifications required under this Rule shall be in writing, specify the nature of the offense, the court in which the case was handled, the date of arrest or criminal charge, the final disposition, and the date thereof. The notifications required under this Paragraph shall be received by the Standards Division within 30 days of the date the case was disposed of in court.~~

~~(c) The requirements of this Rule shall be applicable at all times during which the officer is certified by the Commission.~~

~~(d) Officers required to notify the Standards Division under this Rule shall also make the same notification to their employing or appointing executive officer within 20 days of the date the case was disposed of in court. The executive officer, provided he or she has knowledge of the officer's arrest(s), criminal charge(s), or final disposition(s), shall also notify the Standards Division of all arrests or criminal convictions within 30 days of the date of the arrest and within 30 days of the date the case was disposed of in court. Receipt by the Standards Division of a single notification, from either the officer or the executive officer, shall be sufficient notice for compliance with this Rule.~~

(b) The Department Head shall make the following notifications:

(1) within thirty days of the date the case was disposed of in court, the department head, provided he or she has knowledge of the officer's arrests or criminal charges and final dispositions, shall also notify the Standards Division of arrests or criminal charges and final disposition; and

(2) within thirty days of the issuance of a Domestic Violence Protective Orders (G.S. 50B) and Civil No Contact Orders (G.S. 50C), the department head, provided he or she has knowledge of the order, shall also notify the Standards Division of these orders.

(c) The required notifications in this Rule shall be in writing and shall specify the nature of the offense or order, the court in which the case was handled, the date of the arrest, criminal charge, or service of the order, and the final

1 disposition. The notification shall include a certified copy of the order or court documentation and final disposition
2 from the Clerk of Court in the county of adjudication. The requirements of this subparagraph shall be applicable at
3 all times during which the officer is employed and certified by the Commission and shall also apply to all applicants
4 for certification. Receipt by the Standards Division of a single notification, from the officer or the department head,
5 shall be sufficient notice for compliance with this [subparagraph.] Rule.

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

7 *Temporary Adoption Eff. January 1, 2001;*

8 *Eff. August 1, 2002;*

9 *Amended Eff. January 1, 2015; August 1, 2004;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 *2019.*

12 *Amended Eff. October 01, 2020.*

1 12 NCAC 09G .0307 is amended with changes as published in 34:19 NCR 1760-1773 as follows:

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3 **12 NCAC 09G .0307 CERTIFICATION OF INSTRUCTORS**

4 (a) A person participating in a Commission-accredited corrections training course or program as an instructor, teacher,
5 professor, lecturer, or other participant making presentations to the class shall first be certified by the Commission as
6 an instructor.

7 (b) The Commission shall certify instructors under the following categories: General Instructor Certification,
8 Certification of Specialized Instructor Certification or Professional Lecturer Certification as outlined [in, rules] in
9 Rules. Rules 0308, .0310, and .0311 of this Section. [section] Section. Instructor certification shall be granted on the
10 basis of documented qualifications of experience, education, and training in accord with the requirements of this
11 Section and as stated on the applicant's Request for Instructor Certification Form.

12 (c) In addition to all other requirements of this Section. [section] Section each instructor certified by the Commission
13 to teach in a Commission-certified course shall remain competent in his/her his or her specific or specialty areas. Such
14 competence includes remaining current in the instructor's area of expertise, which may be demonstrated by attending
15 and completing any instructor all updated instructor training courses required by the Commission.

16 (d) If a person certified as an instructor by the Commission is found to have knowingly and willfully violated any
17 provision or requirement of the Rules [rules] Rules in this Subchapter. [subchapter,] Subchapter, the Commission
18 shall take action to correct the violation and to ensure that the violation does not recur, including:

- 19 (1) issuing an oral warning and request for compliance;
- 20 (2) issuing a written warning and request for compliance;
- 21 (3) issuing an official written reprimand;
- 22 (4) suspending the individual's certification for a specified period of time or until acceptable corrective
23 action is taken by the individual; or
- 24 (5) revoking the individual's certification.

25 (e) The Commission shall deny, suspend, or revoke an instructor's certification when the Commission finds that the
26 person:

- 27 (1) has failed to meet and maintain any of the requirements for qualification;
- 28 (2) has failed to remain currently knowledgeable in the person's areas of expertise by failing to attend
29 trainings as required by the Rules rules in this Chapter. [chapter,] Chapter;
- 30 (3) has failed to deliver training in a manner consistent with the instructor lesson plans outlined in the
31 "Basic Instructor Training Manual" as found in 12 NCAC 09G.0414; Rule .0414;
- 32 (4) has failed to follow specific guidelines outlined in the basic corrections officers' training manual set
33 out in Rules [rules] Rules .0411 through, through .0416 of this Subchapter; [subchapter,]
34 Subchapter;
- 35 (5) has demonstrated unprofessional personal conduct in the delivery of commission mandated
36 Commission approved or mandated training. For the purposes of this Subparagraph. [subparagraph,]
37 Subparagraph unprofessional personal conduct "unprofessional personal conduct" means an act

1 ~~that is: is identified as: job-related conduct which constitutes a violation of State or federal law;~~
 2 ~~conviction or commission of a criminal offense, as set out in 12 NCAC 09G .0504; the willful~~
 3 ~~violation of Rules of this Chapter; conduct that is detrimental to instruction in the Commission's~~
 4 ~~mandated courses; the abuse of a client or student whom the instructor is teaching or supervising;~~
 5 ~~falsification of an instructor application or in other employment documentation;~~

6 (a) job-related conduct that constitutes a violation of state or federal law;

7 (b) conviction or commission of a criminal offense as set out in [12 NCAC 09G.0504];
 8 Rule .0504;

9 (c) the willful violation of [rules] Rules of this [chapter;] Chapter;

10 (d) conduct that is detrimental to instruction in the Commission's mandated courses. For
 11 purposes of this Chapter, conduct is "detrimental to instruction" if the conduct is
 12 demeaning or disruptive to the learning environment; [environment, thus impeding the
 13 students' ability to learn;]

14 (e) the physical [and/or] or verbal abuse of a client or student who the instructor is teaching
 15 or supervising; or

16 (f) falsification of an instructor application or other employment documentation;

17 (6) is an instructor, School Director, or Qualified Assistant and [Assistant;] is involved in the
 18 instruction of (for instructors) or oversight of (for School Directors and Qualified Assistants) a
 19 student with whom the instructor, School Director, or Qualified Assistant has a close personal
 20 relationship such as, familial, financial, dating, or sexual [relationship;] even if consensual; and fails
 21 to take immediate and appropriate corrective action. Appropriate corrective action requires the
 22 instructor, School Director, or Qualified Assistant to notify his or her managing personnel in writing
 23 of the relationship and requires the instructor, School Director, or Qualified Assistant to stop
 24 instructing or overseeing the student with whom the relationship [exists;] exists and

25 (A) [(a)] the written notice to managing personnel shall include:

26 (i) [School/]school/agency name;

27 (ii) [Name] name of course;

28 (iii) [Name] name of the instructor, School Director, or Qualified Assistant;

29 (iv) [Name] name of student;

30 (v) [Name] name of managing [personnel and;] peronnel; and

31 (vi) [Nature] nature of the relationship;

32 (B) [(b)] the written notice from the school/agency managing personnel to the Standards
 33 Division shall be submitted within ten days of receipt of notice from the instructor, School
 34 Director, or Qualified Assistant and shall include:

35 (i) [School/]school/agency name;

36 (ii) [Name] name of course;

37 (iii) [Name] name of the instructor, School Director, or Qualified Assistant;

- (iv) ~~[Name]~~ name of student;
- (v) ~~[Name]~~ name of managing personnel;
- (vi) ~~[Nature]~~ nature of the relationship, and;
- (vii) ~~[Explanation]~~ explanation of action taken to ensure the named instructor, School Director, or Qualified Assistant is not in violation of ~~this Rule~~;

- ~~(6)~~ (7) has demonstrated instructional incompetence;
- ~~(7)~~(8) has knowingly and willfully obtained, or attempted to obtain instructor certification by deceit, fraud, or misrepresentation;
- ~~(8)~~ (9) has failed to meet or maintain good moral character as defined in: In re Willis, 288 N.C. 1, 215 S.E.2d 771, appeal ~~dismissed~~ dismissed, 423 U.S. 976 (1975); State v. Harris, 216 N.C. 746, 6 S.E.2d 854 (1940); In re Legg, 325 N.C. 658, 386 S.E. 2d 174 (1989); In re Applicants for License, 143 N.C. 1, 55 S.E. 635 (1906); In re Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); State v. Benbow, 309 N.C. 538, 308 S.E.2d 647 (1983); and later court decisions that cite these cases as authority, and as required to discharge the duties of a criminal justice instructor;
- ~~(9)~~ (10) has committed or been convicted of an offense ~~which that~~ could result in the denial, suspension, or revocation of an officers certification pursuant to Rules .0204 or .0504 of this ~~Subchapter~~; subchapter;
- ~~(10)~~(11) has knowingly made a material misrepresentation of any information required for certification or accreditation.

(f) When a person certified as an officer by the North Carolina Criminal Justice Education and Training Standards Commission (Commission), the North Carolina Sheriffs Education and Training Standards Commission (Sheriffs' Commission), the North Carolina Department of Insurance, Office of State Fire Marshal, Fire Rescue Commission (Fire Commission), Office of Emergency Medical Services and the North Carolina Company/Campus Police Program; or a similar North Carolina, out of state or federal approving, certifying or licensing ~~agency agency~~ has been denied certification or had his or her certification suspended or revoked by their respective Commission or agency the officer shall report the suspension or revocation to the Criminal Justice Standards Division within ~~five~~ five days. ~~They shall also have their~~ The General Instructor certification shall be (if applicable) automatically suspended or revoked for the same time period as their respective Commission ~~certification~~ in accordance with the following:

- (1) ~~this~~ This suspension or revocation of the General Instructor certification shall also include suspension or revocation to any Commission recognized ~~Specialized~~ specialized or additional instructor certification, as outlined in Rule .0310 of this ~~Section~~ Section;
- (2) ~~if~~ if the term of suspension or revocation exceeds the expiration date of the instructor's initial certification expiration date, they shall forfeit their certifications as a General Instructor and Specialized Instructor and shall be required to obtain certification pursuant to the requirements of Rule .0304 of this Section before any instruction may be delivered in any Commission-approved or mandated training, including the completion of a subsequent General Instructor's training course in its ~~entirety~~ entirety; and

1 (3) ~~if~~ the term of suspension or revocation does not exceed the expiration date of the instructor's initial
2 certification expiration date, the instructor shall be reinstated as a General Instructor only upon
3 reinstatement of his or her law enforcement officer certification by the Commission. The terms of
4 renewal for the existing General Instructor and Specialized Instructor certifications shall remain
5 subject to all renewal requirements pursuant to Rule .0309(c) of this Section by the next expiration
6 date.

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8 *History Note: Authority G.S. 17C-6; 17C-10;*
9 *Temporary Adoption Eff. January 1, 2001;*
10 *Eff. August 1, 2002;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019;*
13 *Amended Eff. October 1, 2020, August 1, 2019.*
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1 12 NCAC 09G .0313 is amended with changes as published in 34:19 NCR 1760-1773 as follows:

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3 **12 NCAC 09G .0313 CORRECTIONS INSTRUCTOR TRAINING COURSE**

4 (a) To successfully complete Corrections Instructor Training, the trainee shall:

- 5 (1) ~~satisfactorily~~ complete all of the required course work, ~~specifically including each of the trainee~~
6 ~~presentations with videotaping, playback, and critique as specified work pursuant to 12 NCAC 09B~~
7 ~~[.0209], .0209~~ in the "Basic Instructor Training Manual" as published by the North Carolina Justice
8 Academy. All trainee presentations shall have met the criteria and conditions specified in the course
9 orientation of the "~~Basic Instructor Training Manual~~;" "Instructor Training Manual". as published
10 by the North Carolina Justice Academy; ~~[Academy;]~~ and
11 (2) attain the passing the minimum score on each performance area as specified in the course abstract
12 of the "~~Basic Instructor Manual~~" Instructor Training Manual for the final written lesson plan and
13 final ~~80-minute~~ 70-minute ~~presentation, presentation; and~~
14 (3) ~~achieve a score of 75 percent correct answers on the comprehensive written examination.~~

15 (b) If a trainee fails to meet the minimum criteria on the final lesson plan or the final 70-minute presentation, he or
16 she shall be authorized one opportunity to correct either of these deficiencies by the end of the ~~original two week~~
17 course.

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19 *History Note: Authority G.S. 17C-6;*
20 *Temporary Adoption Eff. January 1, 2001;*
21 *Eff. January 1, 2018; August 1, 2002;*
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, 2021.*

1 12 NCAC 09G .0414 is amended with changes as published in 34:19 NRC 1760-1773 follows:

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12 NCAC 09G .0414 INSTRUCTOR TRAINING

(a) The ~~instructor training~~ Instructor Training course required for ~~general instructor~~ General Instructor certification shall consist of a minimum of ~~78~~ 90 hours of ~~instruction presented during a continuous period of not more than two weeks.~~ [instruction]. of instruction as defined in 12 NCAC 09B .0209 (c) to be completed within 15 business days. [a 15 day period.]

(b) Each ~~instructor training~~ Instructor Training course shall be designed to provide the trainee with the skills and knowledge to perform the ~~function~~ functions of a criminal justice instructor.

~~(c) Each instructor training [Instructor Training] course shall include the following identified topic areas [areas, delivery methods,] and minimum instructional hours for each area: [pursuant to 12 NCAC 09B .0209 (e) and (d).]~~

- ~~(1) Orientation and Pre test; 3 hours~~
- ~~(2) Instructional Systems Design (ISD); 6 hours~~
- ~~(3) Law Enforcement Instructor Liabilities and Legal Responsibilities; 3 hours~~
- ~~(4) Criminal Justice Instructional Leadership 4 hours~~
- ~~(5) Lesson Plan Preparation: Professional Resources; 3 hours~~
- ~~(6) Lesson Plan Development and Formatting 4 hours~~
- ~~(7) Adult Learning; 6 hours~~
- ~~(8) Instructional Style and Platform Skills; 5 hours~~
- ~~(9) Classroom Management; 3 hours~~
- ~~(10) Active Learning: Demonstration and Practical Exercises; 6 hours~~
- ~~(11) The Evaluation Process of Learning; 4 hours~~
- ~~(12) Principles of Instruction: Audio Visual Aids; 4 hours~~
- ~~(13) Student 8 Minute Introduction and Video Critique; and 5 hours~~
- ~~(14) Student Performance:

 - ~~First 35 Minute Presentation; 6 hours~~
 - ~~Second 35 Minute Presentation; and 6 hours~~
 - ~~Final 70 Minute Presentation and Review; 8 hours~~~~
- ~~(15) Course Closing and Post Test 2 hours~~

~~(c) (d)~~ The "Instructor Training Manual" published by the North Carolina Justice Academy shall be applied as the basic curriculum for instructor training courses. Copies of this publication may be inspected at 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 purchased at the cost of printing and postage from the North Carolina Justice Academy at the following address:

1 North Carolina Justice Academy
2 Post Office Drawer 99
3 Salemburg, North Carolina 28385
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5 *History Note: Authority G.S. 17C-6;*
6 *Temporary Adoption Eff. January 1, 2001;*
7 *Eff. August 1, 2002;*
8 *Amended Eff. July 1, 2018; April 1, 2018; January 1, 2018; January 1, 2015;*
9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
10 *2019.*
11 *January 1, 2021.*
12
13