

Impact Analysis

Rule Title: Education and Training Standards for 2014

Agency: Department of Justice

Contact: Julia Lohman, 919 662-4370

Impact: State Impact: Yes
Local Impact: Yes
Substantial Economic Impact: Yes

Rule Citation: 12 NCAC 10B .0301, .0502, .0601, .0603, .0605, .1004, .1005, .1204, .1205, .1604, .1605, .1901, and .2005

Statutory authority: G.S. 17E-4, 17E-7, and 93B-15.1

Summary of the Proposed Regulations

The NC Sheriffs' Education and Training Standards Commission is charged with setting the minimum education and training standards for justice officers (deputy sheriffs, detention officers, and telecommunicators) in this State. Deputy sheriffs, detention officers, and telecommunicators each perform a vital role in ensuring that public health, safety and welfare are well guarded.

The Commission has determined that specific expertise is needed for individuals to teach particularized topical areas of instruction in order to ensure that the material is being taught by competent instructors. In order to ensure that deputy sheriffs, detention officers, and telecommunicators remain knowledgeable and competent in their job duties, the Commission has determined that annual in-service training should be required.

Table 1 below summarizes the changes proposed for the 2014 in-service training, followed by a rule-by-rule description of the proposed changes and their impact (see proposed rule text in Appendix A).

TABLE 1. Summary of the Impacts of the Proposed Regulations

Affected Party	Quantified Benefits	Quantified Costs
Local Government	\$8.4 million	\$8.7 million
State Government	N/A	\$1.5 million
Private Entities	N/A	N/A
Total	\$8.4 million	\$10.2 million

Note: Only quantified benefits and costs are included in the table. In some cases, such as benefits to the public from improved performance and coordination among justice officers resulting from in-service training, unquantified benefits and costs are likely to be significant. Components may not sum to total due to rounding.

Impact of Proposed Changes to 12 NCAC 10B .0301

Description: Revision corrects a missing word in paragraph (a)(8).

Purpose: N/A

Baseline: N/A

Cost/ Benefit Estimates: None.

Impact of Proposed Changes to 12 NCAC 10B .0502

Description: Revision corrects cite in paragraph (c) regarding rules promulgated by the Criminal Justice Commission regarding Basic Law Enforcement Training (BLET) that are incorporated by reference to section .0200, which includes rule 12 NCAC 09B .0205, and removes language which is repetitive of that Commission's rules.

Purpose: N/A

Baseline: N/A

Cost/ Benefit Estimates: None.

Impact of Proposed Changes to 12 NCAC 10B .0601 and .0603

Description: Revision to adjust hours of instruction in the Detention Officer Certification Course (DOCC). Total hours of instruction is increased by 4 hours. In addition, the cost of the training materials has changed.

Purpose: To adjust hours of instruction and reflect the current amount for training materials.

Baseline: Currently the course consists of 168 total hours. The adjustment of hours to the Processing Inmates, Note-taking and Report Writing, First Aid and CPR and Subject Control Techniques blocks of instruction result in an overall increase of 4 hours. Currently the rule reflects training materials cost \$40, which is being raised to \$51.75.

Cost Estimates: Detention officers will be required to complete 172 hours of training in 2014, as opposed to 168 currently, to obtain certification. First, there is a cost of the time they must spend in training. The estimated average salary and benefits for a detention officer is \$48,000 a year. In addition, they are estimated to work 2,080 hours a year. Therefore, the opportunity cost of the additional 4 hours spent in training is approximately \$92. This represents the time the detention officers could have spent

on corrections functions. There are approximately 1,200 detention officers appointed each year, and this number is unlikely to change significantly in 2014. Given this number of detention officers, the total estimated opportunity cost is less than \$111,000.

In addition, there is a cost to conducting training. An instructor costs an estimated \$90 for 4 hours of training and is needed for every 10 students (120 instructors), putting the annual cost at less than \$11,000. Given that 35 of the 40 entities providing training are community colleges, which waive tuition for individuals who require the training to maintain their positions,, it is assumed that \$10,000 of this instruction cost is borne by state government. The other five entities providing training are local enforcement entities, so the analysis assumes local government would bear \$1,000 of the cost of instruction related to this rule change.

There has been increase in training material costs by \$11.75 each. For 1,200 detention officers, that additional cost borne by local governments is about \$14,000. The revision of this course will also require new instructor materials. These materials cost \$63.25 each to produce. There are currently 40 colleges or local agencies accredited to deliver this course. Typically, one accredited site will use one set of instructor materials and maintain that for use in delivery of the course. The NC Justice Academy provides one set of materials to each accredited site at no cost to the college or agency. It is estimated that it would cost the State and additional \$2,500 to produce the new materials.

Impact of Proposed Changes to 12 NCAC 10B .0605

Description: Revision to allow DOCC students with deficiencies a longer period of time to correct the deficiency.

Purpose: To make this period of time consistent with the period allowed when a student fails a portion of the state examination, as well as consistent with past exceptions granted by the Commission. This would also ensure that the Division staff has set guidelines for the make-up time and would not need to wait for the Commission the make a decision regarding exceptions at their quarterly meetings.

Baseline: A few students in the past two years have exceeded the current time period in which to make-up their deficiencies. In those cases, the Commission granted exceptions. And having done so, would be obligated to make the same exception with future similar requests.

Cost/ Benefit Estimates: None.

Impact of Proposed Changes to 12 NCAC 10B .1004; .1005; .1204; .1205; .1604; .1605

Description: Revision reinstates formulas for awarding professional certificates based on a combination of having earned college degrees, years of experience and training points.

Purpose: A previous amendment was supposed to allow individuals to claim their college credits gained in the process of being enrolled and/ or having completed degree programs. Changes made to 12 NCAC 10B .1002, .1202, and .1602 removed a restriction that stated if a person held a degree, no additional credit could be given for additional education. This amendment achieved the purpose of allowing a person to claim all their education. However, consecutive amendments to 1004; .1005; .1204; .1205; .1604; .1605 erroneously removed all formulas where a degree was noted. The changes are proposed in order to correct these rules and ensure that individuals can use either their semester or quarter hours or their degree in order to obtain the required points for the certification.

Baseline: The previous erroneous amendment to these rules has not been enforced.

Cost/Benefit Estimates: N/A.

Impact of Proposed Adoption of 12 NCAC 10B .1901

Description: Revision to allow military transferees and their spouses to obtain certifications.

Purpose: Compliance with new statutory requirement in NCGS 93B-15.1.

Baseline: Currently military transferees and their spouses would be required to meet existing standards for all types of certifications issued by the Sheriffs' Commission. G.S. 93B-15.1 requires occupational boards to issue certification military transferees and their spouses if certain criteria are met and exempts them from existing standards.

Cost Estimates: According to the 2011 Demographics Profile of the Military Community,¹ North Carolina's Active Duty population is 106,689 and Selected Reserve population is 24,093. Approximately half of each population is married. This source does not provide a geographical distribution of individuals who separate from Active Duty or Reserve military. However, the rate of total separations from Active Duty (184,484) compared to the total Active Duty population (1,411,425) is calculated to be about 13.07%. Assuming that 13.07% of NC's Active Duty population is separated during a given year and the size of NC's military population stays about the same (which is plausible given the trend), it is estimated that about 13,900 formerly Active Duty members may seek certification from this Commission. Likewise, the rate of total separations from Reserve Duty (133,675) compared to the total Reserve population (855,867) is calculated to be 15.62%. Assuming that 15.62% of NC's Reserve population is separated during a given year, it is estimated that about 3,800 former Reserve members may seek certification from this Commission. In addition, approximately ½ of both Active Duty and Reserve members are married overall. Assuming that rate to be true in NC, then there it is estimated that there are 65,400 military spouses in NC. Therefore it is estimated that a total of maximum 83,100 individuals who may qualify for an exemption under the new legislative and rule provision. It is likely

¹ Military One Source. "2011 Demographics Profile of the Military Community."
http://www.militaryonesource.mil/12038/MOS/Reports/2011_Demographics_Report.pdf

that the number of individuals affected would be much smaller than this estimate since there would not be enough vacant positions of the local level they require certification.

There will be a recurring cost to the State for Commission staff to evaluate whether or not a military transferee or spouse may qualify for such an exemption. It is estimated that such evaluations would require a full-time Criminal Justice Training Specialist III position to be budgeted at approximately \$47,905 if all qualifying individuals were to apply. Given that it is difficult to estimate how many individuals from those eligible would actually apply as this is also depended in part on the number of available jobs, the Division is planning to have existing staff absorb the cost and re-evaluate the situation within a year. If only existing staff is used, the state would still incur an opportunity cost of the staffs time to evaluate the additional certification applications of \$23/hour, given total compensation of current staff. Over the past ten years, the Division has averaged 25,600 new certifications annually with a staff of about 9, which suggests each staff member process about one application and a half per hour,

Benefit Estimates: The individuals who would take advantage of the proposed changes in rule .1901 would incur the benefit of no longer needing to spend time and funds on attending the certified training courses required for the different certifications. Currently, if the individual has not yet secured a position, they need to attend a community college to obtain the training and incur the related costs. If the individual attends training provided at the community college in order to maintain their current position in law enforcement, then community colleges waive the cost of the training and the state currently incurs the costs. And lastly, if the training is provided on the job the by local agencies, the opportunity cost is borne by the local governments. Given the lack of data, estimating benefits to either individuals, community colleges (state government), or local governments from the exemption provided to military transferees and their spouses is very difficult.

Impact of Proposed Changes to 12 NCAC 10B .2005

Description: The revisions set out what will be required for in-service training in 2014. These in-service training programs began in 2005 with deputies completing 4 hours of domestic violence training. Since 2006 deputies have been required to complete 24 hours of in-service training. Since 2007 detention officers and telecommunicators have been required to complete 16 hours. In 2014, deputies must likewise complete approximately 24 hours, and detention officers and telecommunicators must complete 16 hours.

Effective in 2013, the in-service requirement was no longer based upon hours of instruction received, but based upon the person completing the training and showing proficiency in the topics by passing tests. Language has been added in the rule with this current amendment to provide clarification as how hours of instruction relate to training credits and that written tests are not required for firearms qualification. The rule already provides that Firearms qualification is governed by Section .2100. These two amendments represent no change in practice but are merely being made for clarification, so have no impact.

Purpose: To improve performance, reduce errors and reduce the number of lawsuits, and protect public health, safety and welfare by ensuring each officer remains knowledgeable in the relevant subject areas of enforcement, corrections, or communications.

Baseline: Current rules only lay out the in-service training requirements through 2013. Without these rule changes there would be no requirements for 2014, with the exception of Firearms Qualification, which is separately required in 12 NCAC 10B Section .2000. Firearms training may be conducted, at a minimum, in 4 hours. Therefore the impact of these rules is the cost related to the training requirements for deputies, detention officers, and telecommunicators.

Cost Estimates: The rule change for training only affects 2014, so the costs are confined to this one year. There is a cost impact to local governments and, to a lesser extent, the State. The local government costs are for training and the time that employees will be taken away from doing their jobs. The assumed baseline is that local governments would conduct no applicable training without these requirements.

Local cost estimate (includes three types of justice officer²):

In-Service Training Costs:

Deputy sheriffs are required to have a total of 24 credits of training in 2014, 20 credits of which is above the baseline since deputies are already required to undergo 4 hours of firearms training. First, there is a cost of the time they must spend in training. The estimated average salary and benefits for a deputy sheriff is \$55,600 per year. In addition, they are estimated to work 2,080 hours a year. Therefore, the opportunity cost of 20 hours spent in training is approximately \$530. This represents the time the deputy sheriffs could have spent on law enforcement. There are approximately 7,800 full-time deputy sheriffs (and this number is unlikely to change significantly in 2014), putting the total estimated opportunity cost at \$4.1 million. In addition, there is a cost to conducting training. The Commission polled a sample of colleges and agencies offering training to obtain an overall average hourly compensation rate for instructors: \$22.50. Therefore, an instructor costs \$450 for 20 hours of training and is needed for every 20 students (about 390 instructors) at an annual cost of approximately \$176,000.

Detention officers are required to have 16 credits of training in 2014. To obtain a conservative impact estimate, this analysis assumes that none of the detention officers will undergo the 4 hours of firearms training required by the current rules since most officers are not authorized to carry a firearm. First, there is a cost of the time they must spend in training. The estimated average salary and benefits for a detention officer is \$48,000 a year. In addition, they are estimated to work 2,080 hours a year. Therefore, the opportunity cost of 16 hours spent in training is approximately \$370. This represents the

² All average salaries are based on data from the 2013 County Salaries Index of the UNC School of Government, with the value of benefits estimated as 34% of annual salary based on OSBM data. Salary data available online at <http://www.sog.unc.edu/node/518>.

time the detention officers could have spent on corrections functions. There are approximately 6,700 full-time detention officers, putting the total estimated opportunity cost at more than \$2.5 million. In addition, there is a cost to conducting training. An instructor costs an estimated \$360 for 16 hours of training and is needed for every 20 students (335 instructors), putting the annual cost at \$121,000.

Telecommunicators are required to have 16 credits of training in 2014 (note telecommunicators do not have to undergo firearms training). First, there is a cost of the time they must spend in training. The estimated average salary and benefits for a telecommunicator is \$43,000 a year. In addition, they are estimated to work 2,080 hours a year. Therefore, the opportunity costs of 16 hours (note telecommunicators are never authorized to carry firearms in the course of their duties) spent in training is approximately \$330. This represents the time the telecommunicators could have spent on communications functions. There are approximately 1,200 full-time telecommunicators, putting the total estimated opportunity cost at more than \$400,000. In addition, there is a cost to conducting training. An instructor costs an estimated \$360 for 16 hours of training and is needed for every 20 students (60 instructors), putting the annual cost at \$22,000.

The total estimated opportunity cost of training for local justice officers is \$7 million, and the total estimated cost of instruction is \$320,000. Given that 5 of the 40 entities providing training are local agencies, it is assumed that \$38,000 of the cost of instruction is borne by local governments.

Retesting Costs:

Rule .2005 requires trainees to pass a written test for each in-service training topic with a score of 70% or higher. The rule implies that trainees can re-test if they fail to obtain an adequate score. An In-Service IMPACT Study Report, prepared by the North Carolina Justice Academy Research Office, found that 3.8% of individuals taking in-service training failed the initial end-of-training delivery test.

Each in-service test will have five test questions for each hour of instruction, and each test question is expected to take two minutes to complete. For the deputy sheriff in-service training, this equates to 4 hours for testing. Based on the historical failure rate of 3.8%, we estimate that 296 deputies may need to retest, for a total of 1,184 hours of retesting. At an average hourly total compensation rate of \$27, total opportunity costs for deputies needing to retest would be approximately \$32,000.

For the detention officer in-service training, this equates to 2.67 hours for testing. Based on the historical failure rate of 3.8%, we estimate that 255 detention officers may need to retest, for a total of 680 hours of retesting. At an average hourly total compensation rate of \$23, total opportunity costs for detention officers needing to retest would be approximately \$16,000.

For the telecommunicator in-service training, this equates to 2.67 hours for testing. Based on the historical failure rate of 3.8%, we estimate that 46 telecommunicators may need to retest, for a total of 123 hours of retesting. At an average hourly total compensation rate of approximately \$21, total opportunity costs for telecommunicator needing to retest would be approximately \$3,000.

Total opportunity cost of trainees for re- testing is \$51,000.

Retesting would also create a cost in terms of instructors who have to supervise the retesting. Assuming that 1 instructor would be needed for every 20 trainees, a total of 100 instructor hours would be needed (or 15, 13 and 3 instructors for deputy sheriffs, detention officers, and telecommunicators, respectively.) At an instructor hourly compensation of \$22.5, the total costs equates to about \$2,000. Given that 12% of the entities providing training are local governments, it is assumed that \$250 of the instructor costs for retesting are borne by local governments.

State cost estimate

Duties for administering the in-service training program are split between 5 existing positions in the Sheriffs' Standards Division at DOJ. The total annual salary cost to this Division, excluding benefits, is estimated at \$56,000 for the partial time spent by the positions.

Much of the work for developing the training program occurs at the NC Justice Academy. The Justice Academy received one Program Assistant funded at nearly \$34,000 during a previous legislative session. However, work there will continue to be split between the new position and 14 other positions. The total annual salary cost is \$134,000 for both the new Program Assistant position and the partial time spent by the other 14 positions.

Including the value of State-provided benefits, which are estimated to be an average of 34 percent of annual salary based on OSBM data, the total State cost is \$255,000.

The state would also have to incur the costs related to the instruction of local justice officers that takes place in community colleges. Given that 35 of the 40 entities providing training are community colleges, this analysis assumes that \$282,000 of the training costs and \$1,750 of the retesting costs for instructors is borne by state government.

Indirect Impact

The proposed 2014 In-Service Training Requirements would result in additional, indirect costs stemming from rules that do not require to be changed but are impacted by the proposed rule change in .2005. These rules include 12 NCAC 10B .2003, .2006 and .2009 (see rule text in Appendix B). The impact of these three rules was initially estimated and presented in the fiscal note prepared when the rules were last amended in 2012, but only covered the impact the rules would have in 2013.³ This fiscal note includes the impact of these rules for 2014, which presumably will not be much different than the current year.

³ See the fiscal note for rules .2003, .2006 and .2009 (as well as other rules), approved by the Office of State Budget and Management on June 20, 2012, at the following OSBM website:
http://www.osbm.state.nc.us/files/pdf_files/DOJ06202012.pdf

Indirect Impact from 12 NCAC 10B .2003 and .2009

Description: Rule .2003 sets out the requirements taught in the Coordinating In-Service Training Course for in-service training coordinators. Rule .2009 sets out what is expected during the delivery of in-service training.

Purpose: The purpose of these two rules is to lay out the requirements and qualifications for in-service training coordinators and ensure the training providers deliver and document training delivery in accordance with the expectations of the Commission.

Baseline: Rule .2003 currently requires an individual seeking to become an in-service training coordinator to attend the Coordinating In-Service Training Course and specifies those responsibilities. These training-delivery requirements in rule .2009 apply not only to the In-Service Training Coordinators, but also to the Community Colleges that provide in-service training. If in-service training were not required in 2014, these rules would have no application in 2014.

Cost Estimates: The Commission polled a sample of In-Service Training Coordinators to determine the percentage of time spent performing the administrative duties laid out in paragraph (b) of rule .2003 and in rule .2009. The average percentage was about 36% or an average of 754 hours per year. Most of these coordinators are also deputy sheriffs, so using the deputy annual average salary and benefits of \$54,000 (\$26 hourly average), the average opportunity cost per coordinator is approximately \$19,600 (see Impact of Proposed Changes to 12 NCAC 10B .2005 for more details on salary data, assumptions, and calculations). There are a total of 72 coordinators, which puts the total opportunity cost for in-service training coordinators at \$1.4 million.

There are 58 community colleges in North Carolina that are eligible to provide in-service training. Colleges typically use individuals who are already designated as a school director for the Commission's basic training courses to also oversee in-service training. School directors are also instructors. The Commission polled a sample of colleges and agencies offering training to obtain an overall average hourly compensation rate for instructors. The average of the responses was \$22.50. The Commission polled several school directors, and the survey results indicate that they spend approximately 30% of their time performing these administrative duties. Based on a work-hour expectation of 2,080 hours per year, we estimate that school directors spend 624 hours per year performing administrative duties, at an average cost to each college of more than \$14,000. Extrapolating this average to all 58 colleges yields a total opportunity cost to the State of more than \$810,000.

Indirect Impact from 12 NCAC 10B .2006

Description: Revision requires a local or state police officer certified under the Criminal Justice Commission to make up any missed in-service training upon transferring to a deputy position.

Purpose: To improve performance, reduce errors and reduce the number of lawsuits, and protect public health, safety and welfare by ensuring each deputy remains knowledgeable in his/her area of enforcement.

Baseline: Rule .2006 requires a local or state police officer who fails to complete in-service training, and then later transfers to a deputy position, to make up any required in-service training. Without the changes proposed to .2005, there would be no in-service training requirements for 2014.

Cost Estimates: Approximately 720 individuals transfer from one agency to another on an annual basis. No comprehensive attendance records for in-service training among justice officers in North Carolina exist, but a 2005 study by the independent monitor of the Metropolitan Police Department of Washington, D.C., indicated that attendance rates for in-service training among police officers was approximately 75 percent.⁴ For this estimate, we have presumed that all of the transfers were local or state police who transfer to a deputy position and that the transfers failed to complete 25 percent of the 20 credits (i.e. 5 credits) of required in-service training. Note impact would only come from 20 credits since 4 credits related to firearms training are already required in the current rules.

First, there is a cost of the time the transfers must spend in training. The estimated average deputy sheriff salary and benefits is approximately \$54,000 a year (roughly \$26 per hour). Thus, the opportunity cost associated with an average of 5 hours of training per transfer would be \$156, for a total opportunity cost of approximately \$93,000. This represents the time the deputy sheriffs could have spent on law enforcement. Note, the sheriffs' offices would not need to purchase additional training materials for the transferred personnel since these officers would be making up missed training and can be provided with materials used during the regular training session.

It is estimated that 3.8% of these transfers or 27 individuals would need to be re-tested (see impact to 12 NCAC 10B .2005). Thus the opportunity cost for 27 deputies (continuing the assumptions made above) would be about \$3,000.

In addition, there is a cost to conducting training. Assuming 1) an instructor costs \$113 for 5 hours of training at a rate of \$22.50 per hour, 2) that all transfers missed at least one in-service training course, and 3) make-up training is conducted one-on-one, then the estimated instruction cost would be approximately \$81,000. Given that 35 of the 40 entities providing training are community colleges, this analysis assumes that \$71,000 of the instructor costs related to making up missed training would be borne by the state government and \$10,000 by the local government.

⁴ Office of the Independent Monitor. *Thirteenth Quarterly Report of the Independent Monitor for the Metropolitan Police Department*, July 28, 2005. <http://www.clearinghouse.net/chDocs/public/PN-DC-0001-0017.pdf>

Benefit Estimates from Proposed Rules

Unquantified Benefits

Improved performance, reduction errors and resulting reduction of lawsuits, as well as better protection of public health, safety and welfare. Requiring in-service training in specified topical areas statewide ensures each officer – regardless of where he/she is employed – remains knowledgeable about changes in law, practical techniques, and other relevant topics such as domestic violence, autism, terrorism, school violence, etc. This standard framework makes joint operation, communication, and dealing with the public easier.

The benefits to requiring individuals transferring from one agency to another to make up in-service training would be similar to the unquantified benefits described above. It is unclear whether the assumptions underlying the quantified turnover-reduction benefits for mandatory in-service training would apply equally to transfers.

Quantified Benefits

An additional benefit expected benefit is a decrease in staff turnover and turnover-related costs. The 2003 Sheriffs' Commission and Governor's Crime Commission published the results of Recruitment and Retention Studies⁵ for each type of justice officers impacted by these changes. Educational incentives and training opportunities were found to be highly ranked as an effective technique for retaining these employees. The turnover rate for deputy sheriffs, detention officers, and telecommunicators averaged 16 percent, according to the above 2003 study.

"The Effect of Workplace Education on Earnings, Turnover, and Job Performance," a study authored by Alan Krueger and Cecilia Rouse,⁶ provides an estimate that one particular on-the-job training program may have reduced employee turnover rates by 7 percentage points at a private service-providing company. If extending mandatory in-service training prevents staff turnover from rising at even a fraction of the impact measured by the training program in the Krueger-Rouse study, evidence suggests that the direct and indirect savings would be substantial.

A 2000 study by Michele Graef and Erick Hill found that many studies of employee turnover estimated the cost of replacing skilled professional employees to be between 70 percent and 200 percent of the employee's average salary.⁷ An unpublished, early-2000s study by the Louisiana State University Staff

⁵ NC Department of Public Safety. *Recruitment and Retention Study Series*. April 2003.
Detention Facility Personnel: <https://www.ncdps.gov/div/gcc/PDFs/Pubs/NCCJAC/rrdetention.pdf>,
<https://www.ncdps.gov/div/gcc/PDFs/systemstats/wint04.pdf>
Sworn Sheriffs' Personnel: <https://www.ncdps.gov/div/gcc/PDFs/Pubs/NCCJAC/rrsheriff.pdf>
Telecommunications Officers: <https://www.ncdps.gov/div/gcc/PDFs/pubs/nccjac/rrsstel.pdf>

⁶ Krueger, Alan B. and Rouse, Cecilia E., New Evidence on Workplace Education (August 1994). NBER Working Paper No. w4831. Available at SSRN: <http://ssrn.com/abstract=226529>

⁷ Graef, Michele I. and Erick L Hill. (2000). "Costing Child Protective Services Staff Turnover." *Child Welfare*, Sept/Oct,79 (5): 517.

Senate found that the direct and indirect turnover costs for protective services personnel amounted to roughly \$25,000 per vacancy (more than \$32,500 in 2013 dollars).⁸ The conservative end of the studies reviewed by Graef and Hill (70 percent of annual salary, excluding benefits) yield turnover cost estimates of \$28,000 per vacancy for deputy sheriffs, \$25,000 for detention officers, and \$22,500 for telecommunicators. The estimated benefits from reducing turnover (see table below) are based on these per vacancy cost estimates.

TABLE 2. Estimated Local Benefits from Training-Related Reductions in Employee Turnover

	Total Full-Time Employees (2012)	1 Percent of Total Employees	Estimated Benefits of Reducing Turnover		
			1 percentage point	2 percentage points*	4 percentage points
Deputy Sheriff	7,800	78	\$2.26 million	\$4.53 million	\$9.05 million
Detention Officer	6,700	67	\$1.68 million	\$3.35 million	\$6.70 million
Telecommunicator	1,200	12	\$270,000	\$540,000	\$1.08 million
Total	15,700	157	\$4.21 million	\$8.41 million	\$16.83 million

* The Commission believes that a reduction in two percentage points is the most plausible assumption.

Note: Estimated benefits of reducing turnover based on cost per vacancy of 70 percent of a professional employee’s annual salary (see text above for details).

A reduction in turnover of 1-4 percentage points resulting from the proposed in-service training, significantly less than the reduction suggested by the previously cited Krueger-Rouse study, would generate benefits of approximately \$4 million to \$16 million in 2014. Based on the combined evidence of the Krueger-Rouse study and the results of the 2003 recruitment and retention surveys, the Commission believes that a 2-percentage-point reduction in turnover resulting from mandating in-service training is a plausible, conservative estimate.

Alternatives

There are not many alternatives that are likely to improve performance and reduce the error rate across all jurisdictions other than training. Alternatives to the proposal include: 1) returning to complete local flexibility in training and 2) completely centralized training. Local flexibility could result in some justice officers no longer having the opportunity to attend training beyond the basic courses. In addition, as an officer changes from one agency to another, there is no assurance that the officer has received the most current training on recent legal updates, practical techniques, and others areas. Centralized training would somewhat improve the benefits by allowing uniform testing and measurement of testing success,

⁸ Cited by Gilean Smith in “Love thy employee or make the cut? You decide,” Examiner.com. February 28, 2011. <http://www.examiner.com/article/love-thy-employees-or-make-the-cut-you-decide>

but it would require hundreds of trainers and organizers. It would also require a large amount of travel time. These time and cost constraints did not allow centralized training to be feasible.

Risk Analysis

Although the cost and benefit estimates in this fiscal note are based on plausible assumptions, in several cases, alternative plausible assumptions result in significant changes to the cost and benefit estimates.

In the case of the benefits of mandated training, we used a conservative assumption of a two percentage-point reduction in turnover based on an academic study indicating a turnover reduction of seven percentage points from a private-sector in-service training program. If the actual impact of the Commission's mandated in-service training were to reduce turnover by one percentage point, the associated benefits would be \$4.0million instead of \$8.0million. If the actual impact were to reduce turnover by four percentage points, the associated benefits would be \$16.1 million.

Similarly, there are alternative plausible assumptions regarding turnover costs. We estimated the benefits of turnover-related training benefits based on the assumption that turnover costs per vacancy equal approximately 70 percent of a professional employee's salary. If turnover costs per vacancy are only 50 percent of an employee's salary, then the benefits from reducing turnover would be \$5.7 million in 2013 instead of \$8.0 million given a two-percentage-point reduction in turnover among justice officers. At a per vacancy cost of 100 percent of an employee's salary, the benefits from reducing turnover would be more than \$11.5 million.

Conclusion

Please note that most costs represent opportunity costs and may not represent new cash outlays required by state or local agencies. The overwhelming majority of these local sheriffs, detention officers and related positions impacted by these rule changes are salaried employees. The time they spend on these training requirements is time they are not spending on patrol or on their primary law enforcement duties. However, this additional training can ensure that these employees are more efficient and productive employees after training is completed.

Some of the costs presented below, however, would be budgetary costs. These include local government costs related to training materials for the trainees, the state government cost of providing the instructor training materials at no cost to the community colleges or local agencies, and the potential cost the Division would incur to hire staff to handle the increase certification application requests that may stem from changes proposed in rule .1901. Also, part of the costs related to instructors, may in fact be budgetary costs depending on whether community college or local law enforcement agency use in-house staff with instructor certification or hire from outside.

The Department of Justice has requested expansion funding to address the administrative costs associated with the proposed training requirements. During a past legislative session, only one position of the eleven requested was approved. If additional expansion funding is not provided by the General Assembly, these administrative functions will be absorbed within current operating budgets.

TABLE 3. Impacts from Proposed Rule Changes

	2014
BENEFITS: Local Government	
Reduced direct and indirect costs associated with justice officer turnover due to training (.2005)	\$8.41 million
BENEFITS: Public	
Improved public safety office performance, improved coordination, and reduced errors by justice officers (.2005 & .2007)	Significant, unquantified
COSTS: Local Government	
Opportunity costs of detention officers' time spent in additional 4 hours of basic training (.0601 & .0603)	\$111,000
Direct costs associated with additional 4 hours for instructors to teach in basic training (.0601 & .0603)	\$1,000
Additional cost of materials (.0601 & .0603)	\$14,000
Opportunity costs of justice officers' time spent conducting in-service training (including retests) (.2005)	\$7.05 million
Direct costs associated with hiring instructors for in-service training (including retests) (.2005)	\$38,250
Indirect opportunity costs of justice officers' time spent making up in-service training (including retests) (.2006)	\$96,000
Indirect costs associated with hiring instructors for officers making up missed in-service training (.2006)	\$10,000
Indirect opportunity costs of In-Service Training Coordinators associated with administrative tasks (.2003 & .2009)	\$1.41 million
Total Local Government Costs	\$8.7 million
COSTS: State Government	
Additional cost of materials for instructors (.0601 & .0603)	\$2,500
Direct costs associated with additional 4 hours for instructors to teach in basic training (.0601 & .0603)	\$10,000
Direct costs associated with hiring instructors for in-service training (including retests) (.2005)	\$283,750
Indirect costs associated with hiring instructors for officers making up missed in-service training (.2006)	\$71,000
Staff costs of Criminal Justice Specialist Investigator III to perform military transferee and spouse exemption evaluation (.1901)	\$47,905
Opportunity costs of community college school directors associated with administrative tasks (.2003 & .2009)	\$810,000
Opportunity costs of NC Justice Academy and other Department of Justice Staff associated with administrative tasks (.2003 & .2009)	\$255,000
Total State Government Costs	\$1.5 million

Note: Minor unquantified benefits not included in the above table.

APPENDIX A
Proposed Rule Changes

12 NCAC 10B .0301 is proposed to be amended as follows:

12 NCAC 10B .0301 MINIMUM STANDARDS FOR JUSTICE OFFICERS

- (a) Every Justice Officer employed or certified in North Carolina shall:
- (1) be a citizen of the United States;
 - (2) be at least 21 years of age;
 - (3) be a high school graduate, or the equivalent (GED);
 - (4) have been fingerprinted by the employing agency;
 - (5) have had a medical examination by a licensed physician;
 - (6) have produced a negative result on a drug screen administered according to the following specifications:
 - (A) the drug screen shall be a urine test consisting of an initial screening test using an immunoassay method and a confirmatory test on an initial positive result using a gas chromatography/mass spectrometry (GC/MS) or other reliable initial and confirmatory tests as may, from time to time, be authorized or mandated by the Department of Health and Human Services for Federal Workplace Drug Testing Programs; and
 - (B) a chain of custody shall be maintained on the specimen from collection to the eventual discarding of the specimen; and
 - (C) the drugs whose use shall be tested for shall include at least cannabis, cocaine, phencyclidine (PCP), opiates and amphetamines or their metabolites; and
 - (D) the test threshold values established by the Department of Health and Human Services for Federal Workplace Drug Testing Programs are hereby incorporated by reference, and shall automatically include any later amendments and editions of the referenced materials. Copies of this information may be obtained from the National Institute on Drug Abuse, 5600 Fisher Lane, Rockville, Maryland 20857 at no cost at the time of adoption of this Rule; and
 - (E) the test conducted shall be not more than 60 days old, calculated from the time when the laboratory reports the results to the date of employment; and
 - (F) the laboratory conducting the test must be certified for federal workplace drug testing programs, and must adhere to applicable federal rules, regulations and guidelines pertaining to the handling, testing, storage and preservation of samples, except that individual agencies may specify other drugs to be tested for in addition to those drugs set out in Part (C) of this Subparagraph; and
 - (G) every agency head shall make arrangements for the services of a medical review officer (MRO) for the purpose of review of drug tests reported by the laboratory and such officer shall be a licensed physician;
 - (7) within five working days notify the Standards Division and the appointing department head in writing of all criminal offenses with which the officer is charged and all Domestic Violence Orders (50B) and Civil No Contact Orders (50C) which are issued by a judicial official and which provide an opportunity for both parties to be present; and shall also give notification, in writing, to the Standards Division and the appointing department head following the adjudication of these criminal charges and Domestic Violence Orders (50B). This shall include all criminal offenses except minor traffic offenses. A minor traffic offense is defined for purposes of this Subparagraph as any offense under G.S. 20 or similar laws of other jurisdictions; except those Chapter 20 offenses published in the Class B Misdemeanor Manual. The initial notification required must

specify the nature of the offense, the date of offense, and the arresting agency. The notifications of adjudication required must specify the nature of the offense, the court in which the case was handled and the date of disposition, and must include a certified copy of the final disposition from the Clerk of Court in the county of adjudication. The notifications of adjudication must be received by the Standards Division within 30 days of the date the case was disposed of in court. Officers required to notify the Standards Division under this Subparagraph shall also make the same notification to their employing or appointing department head within 20 days of the date the case was disposed of in court. The department head, provided he has knowledge of the officer's charge(s), Civil No Contact Orders (50C) and Domestic Violence Orders (50B) shall also notify the Division within 30 days of the date the case or order was disposed of in court. Receipt by the Standards Division of timely notification of the initial offenses charged and of adjudication of those offenses, from either the officer or the department head, is sufficient notice for compliance with this Subparagraph;

- (8) be of good moral character as defined in: In re Willis, 299 N.C. 1, 215 S.E.2d 771 appeal 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 their progeny;
 - (9) have a background investigation conducted by the employing agency, to include a personal interview prior to employment;
 - (10) not have committed or been convicted of a crime or crimes as specified in 12 NCAC 10B .0307.
- (b) The requirements of this Rule shall apply to all applications for certification and shall also be applicable at all times during which the justice officer is certified by the Commission.

History Note: Authority G.S. 17E-7; 95-230; 95-231; 95-232; 95-233; 95-234; 95-235;
 Eff. January 1, 1989;
 Amended Eff. January 1, 2014; January 1, 2006; January 1, 2005; August 1, 2002; January 1, 1996; January 1, 1994; January 1, 1993; January 1, 1992; July 1, 1990; January 1, 1990.

12 NCAC 10B .0502 is proposed to be amended as follows:

12 NCAC 10B .0502 BASIC LAW ENFORCEMENT TRAINING COURSE FOR DEPUTIES

- (a) The basic training course for deputy sheriffs consists of instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function in law enforcement.
- (b) ~~The course entitled "Basic Law Enforcement Training" shall consist of a minimum of 620 hours of instruction and shall include the following identified topical areas and minimum instructional hours for each:~~

(1) —	LEGAL UNIT	
(A) —	Motor Vehicle Laws	20 hours
(B) —	Preparing for Court and Testifying in Court	12 hours
(C) —	Elements of Criminal Law	24 hours
(D) —	Juvenile Laws and Procedures	10 hours
(E) —	Arrest, Search and Seizure/Constitutional Law	28 hours
(F) —	ABC Laws and Procedures	4 hours
	UNIT TOTAL	98 hours
(2) —	PATROL DUTIES UNIT	

(A)	Techniques of Traffic Law Enforcement	24 hours
(B)	Explosives and Hazardous Materials Emergencies	12 hours
(C)	Traffic Accident Investigation	20 hours
(D)	In Custody Transportation	8 hours
(E)	Crowd Management	12 hours
(F)	Patrol Techniques	26 hours
(G)	Law Enforcement Communication and Information Systems	8 hours
(H)	Anti Terrorism	4 hours
(I)	Rapid Deployment	8 hours
	UNIT TOTAL	122 hours
(3)	LAW ENFORCEMENT COMMUNICATION UNIT	
(A)	Dealing with Victims and the Public	10 hours
(B)	Domestic Violence Response	12 hours
(C)	Ethics for Professional Law Enforcement	4 hours
(D)	Individuals with Mental Illness and Mental Retardation	8 hours
(E)	Crime Prevention Techniques	6 hours
(F)	Communication Skills for Law Enforcement Officers	8 hours
	UNIT TOTAL	48 hours
(4)	INVESTIGATION UNIT	
(A)	Fingerprinting and Photographing Arrestee	6 hours
(B)	Field Note taking and Report Writing	12 hours
(C)	Criminal Investigation	34 hours
(D)	Interviews: Field and In Custody	16 hours
(E)	Controlled Substances	12 hours
(F)	Human Trafficking	2 hours
	UNIT TOTAL	82 hours
(5)	PRACTICAL APPLICATION UNIT	
(A)	First Responder	32 hours
(B)	Firearms	48 hours
(C)	Law Enforcement Driver Training	40 hours
(D)	Physical Fitness (classroom instruction)	8 hours
(E)	Fitness Assessment and Testing	12 hours
(F)	Physical Exercise 1 hour daily, 3 days a week	34 hours
(G)	Subject Control Arrest Techniques	40 hours
	UNIT TOTAL	214 hours
(6)	SHERIFF SPECIFIC UNIT	
(A)	Civil Process	24 hours
(B)	Sheriffs' Responsibilities: Detention Duties	4 hours
(C)	Sheriffs' Responsibilities: Court Duties	6 hours
	UNIT TOTAL	34 hours
(7)	COURSE ORIENTATION	2 hours
(8)	TESTING	20 hours
	TOTAL COURSE HOURS	620 HOURS

(e) The "Basic Law Enforcement Training Manual" as published by the North Carolina Justice Academy shall be used as the as basic curriculum for this Basic Law Enforcement Training Course. Copies of this manual may be obtained at cost by contacting the North Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina 28385-0099.

(d) The Commission shall designate the developer of the Basic Law Enforcement Training Course curricula and such designation shall be deemed by the Commission as approval for the developer to conduct pilot Basic Law

~~Enforcement Training Courses. Individuals who successfully complete such a pilot Basic Law Enforcement Training Course offering shall be deemed to have successfully complied with and satisfied the minimum training requirement.~~

(b) The rules governing Minimum Standards for Completion of Training, codified as Title 12, Subchapter 09B, Section ~~.0400~~ .0200 of the North Carolina Administrative Code, and previously adopted by the North Carolina Criminal Justice Education and Training Standards Commission, are hereby incorporated by reference, and shall, automatically include any later amendments and editions of the incorporated matter to apply to actions of the North Carolina Sheriffs' Education and Training Standards Commission. Copies of the incorporated materials may be obtained at no cost from the Criminal Justice Standards Division, North Carolina Department of Justice, 114 West Edenton Street, Post Office Drawer 149, Raleigh, North Carolina 27602.

*History Note: Authority G.S. 17E-4(a);
Eff. January 1, 1989;
Amended Eff. January 1, 2014; August 1, 2011; January 1, 2010; January 1, 2006; August 1, 2000; January 1, 1996; January 1, 1995; February 1, 1991; January 1, 1990.*

12 NCAC 10B .0601 is proposed to be amended as follows:

12 NCAC 10B .0601 DETENTION OFFICER CERTIFICATION COURSE

(a) This Section establishes the current standard by which Sheriffs' Office and district confinement personnel shall receive detention officer training. The Detention Officer Certification Course shall consist of a minimum of 168 hours of instruction designed to provide the trainee with the skills and knowledge necessary to perform those tasks considered essential to the administration and operation of a confinement facility.

(b) Each Detention Officer Certification Course shall include the following identified topic areas and approximate minimum instructional hours for each area:

(1)	LEGAL UNIT	
	(A) Orientation	3 hours
	(B) Criminal Justice Systems	2 hours
	(C) Legal Aspects of Management and Supervision	14 hours
	(D) Introduction to Rules and Regulations	2 hours
	(E) Ethics	3 hours
	UNIT TOTAL	24 Hours
(2)	PHYSICAL UNIT	
	(A) Contraband/Searches	6 hours
	(B) Patrol and Security Function of the Jail	5 hours
	(C) Key and Tool Control	2 hours
	(D) Investigative Process in the Jail	8 hours
	(E) Transportation of Inmates	7 hours
	UNIT TOTAL	28 Hours
(3)	PRACTICAL APPLICATION UNIT	
	(A) Processing Inmates	7 <u>8</u> hours
	(B) Supervision and Management of Inmates	5 hours
	(C) Suicides and Crisis Management	5 hours
	(D) Aspects of Mental Illness	6 hours
	(E) Fire Emergencies	4 hours
	(F) Notetaking and Report Writing	5 <u>6</u> hours

	(G) Communication Skills	5 hours
	UNIT TOTAL	37 hours
(4)	MEDICAL UNIT	
	(A) First Aid and CPR	10 8 hours
	(B) Medical Care in the Jail	6 hours
	(C) Stress	3 hours
	(D) Subject Control Techniques	28 32 hours
	(E) Physical Fitness for Detention Officers	22 hours
	UNIT TOTAL	69 hours
(5)	REVIEW AND TESTING	7 hours
(6)	STATE EXAM	3 hours
	TOTAL HOURS	168 172 HOURS

(c) Consistent with the curriculum development policy of the Commission as published in the "Detention Officer Certification Course Management Guide", the Commission shall designate the developer of the Detention Officer Certification Course curricula and such designation shall be deemed by the Commission as approval for the developer to conduct pilot Detention Officer Certification Courses. Individuals who complete such a pilot Detention Officer Certification Course offering shall be deemed to have complied with and satisfied the minimum training requirement.

(d) The "Detention Officer Certification Training Manual" as published by the North Carolina Justice Academy shall be used as the basic curriculum for the Detention Officer Certification Course. Copies of this manual may be obtained by contacting the North Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina 28385-0099. The cost of this ~~manual is forty dollars (\$40.00)~~ manual, CD, indexes and binder is \$51.75 at the time of adoption of this Rule.

(e) The "Detention Officer Certification Course Management Guide" as published by the North Carolina Justice Academy is hereby incorporated by reference and shall automatically include any later amendments, editions of the incorporated matter to be used by school directors in planning, implementing and delivering basic detention officer training. The standards and requirements established by the "Detention Officer Certification Course Management Guide" must be adhered to by the school director. Each certified school director shall be issued a copy of the guide at the time of certification at no cost to the certified school.

*History Note: Authority G.S. 17E-4(a);
Eff. January 1, 1989;
Amended Eff. February 1, 2014; August 1, 2011; October 1, 2009; January 1, 2006; August 2, 2002; August 1, 2000; August 1, 1998; February 1, 1998; January 1, 1996; June 1, 1992; January 1, 1992; January 1, 1991.*

12 NCAC 10B .0603 is proposed to be amended as follows:

12 NCAC 10B .0603 EVALUATION FOR TRAINING WAIVER

Applicants for certification with prior detention or correctional officer experience shall have been employed and certified as a detention or correctional officer in order to be considered for a training evaluation under this Rule. The following rules shall be used by division staff in evaluating a detention officer's training and experience to determine eligibility for a waiver of training:

- (1) Persons who have separated from a detention officer position during the probationary period after having completed a commission-certified detention officer training course and who have been separated from a detention officer position for more than one year shall complete a subsequent

commission-certified detention officer training course in its entirety and pass the State Comprehensive Examination within the 12 month probationary period as described in 12 NCAC 10B .0602(a).

- (2) Persons who separated from a detention officer position during their probationary period after having completed a commission-certified detention officer training course and who have been separated from a detention officer position for one year or less shall serve the remainder of the initial probationary period in accordance with G.S. 17E-7(b), but need not complete an additional training program.
- (3) Persons who separated from a detention officer position during the probationary period without having completed a detention officer training course or whose certification was suspended pursuant to 12 NCAC 10B .0204(b)(1) and who have remained separated or suspended for over one year shall complete a commission-certified detention officer training course in its entirety and pass the State Comprehensive Examination, and shall be allowed a 12 month probationary period as prescribed in 12 NCAC 10B .0602(a).
- (4) Persons holding General Detention Officer Certification who have completed a commission-certified detention officer training course and who have separated from a detention officer position for more than one year shall complete a subsequent commission-certified detention officer training course in its entirety and pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0602(a).
- (5) Persons holding Grandfather Detention Officer Certification who separate from a detention officer position and remain separated from a detention officer position for more than one year shall complete a commission-certified detention officer training program in its entirety and pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0602(a).
- (6) Persons transferring to a sheriff's office from another law enforcement agency who hold a detention officer certification issued by the North Carolina Criminal Justice Education and Training Standards Commission are subject to evaluation of their prior training and experience on an individual basis. The Division staff shall determine the amount of training, which is comparable to that received by detention officers pursuant to 12 NCAC 10B .0601(b), required of these applicants.
- (7) Persons holding general certification as a correctional officer issued by the North Carolina Criminal Justice Education and Training Standards Commission and who:
 - (a) completed training as a correctional officer between January 1, 1981 and August 1, 2002;
 - (b) transfer to a sheriff's office or a district confinement facility in a detention officer position; and
 - (c) have had less than a one year break in service, or no break in service, shall serve a 12-month probationary period as prescribed in 12 NCAC 10B .0602(a) and shall complete the following topic areas in a commission-certified detention officer certification course and take the state examination in its entirety during that probationary period:

(i)	Orientation	3 hours
(ii)	Legal Aspects of Management & Supervision	14 hours
(iii)	Medical Care in the Jail	6 hours
(iv)	Investigative Process in the Jail	8 hours
(v)	Criminal Justice System	2 hours
(vi)	Introduction to Rules and Regulations Governing Jails	2 hours
(vii)	Subject Control Techniques	28 32 hours
	TOTAL HOURS	(63) (67) hours
- (8) Persons holding general certification as a correctional officer issued by the North Carolina Criminal Justice Education and Training Standards Commission and who:

- (a) completed training as a correctional officer after August 1, 2002;
- (b) transfer to a sheriff's office or a district confinement facility in a detention officer position; and
- (c) have had less than a one year break in service, or no break in service, shall serve a 12-month probationary period as prescribed in 12 NCAC 10B .0602(a); may apply for a waiver to the Division by submitting documentation of the training completed as a correctional officer.

Division staff shall compare the completed correctional officer training to the existing Detention Officer Certification Course and determine whether any of the Detention Officer Certification Course blocks of instruction can be waived. Granting of a waiver is based on a showing of completion of comparable training. The Division shall notify the employing agency of the resulting training requirements. The detention officer and shall complete the required training in a commission-certified Detention Officer Certification Course and take the state examination in its entirety during the probationary period.

History Note: Authority G.S. 17E-4; 17E-7; Eff. January 1, 1989; Amended Eff. February 1, 2014; August 1, 2011; January 1, 2006; August 1, 2002; August 1, 1998; February 1, 1998; January 1, 1996; January 1, 1993; January 1, 1992; January 1, 1991.

12 NCAC 10B .0605 is proposed to be amended as follows:

12 NCAC 10B .0605 COMPLETION OF DETENTION OFFICER CERTIFICATION COURSE

(a) Each delivery of an accredited "Detention Officer Certification Course" is considered to be a unit as set forth in 12 NCAC 10B .0601. Each trainee shall attend and satisfactorily complete a full course during a scheduled delivery. The school director may develop supplemental rules as set forth in 12 NCAC 10B .0704(a)(7), but may not add substantive courses, or change or expand the substance of the courses set forth in 12 NCAC 10B .0601. This Rule does not prevent the instruction on local agency rules or standards but such instruction shall not be considered or endorsed by the Commission for purposes of certification. The Director may issue prior written authorization for a specified trainee's limited enrollment in a subsequent delivery of the same course where the school director provides evidence that:

- (1) The trainee attended and satisfactorily completed specified class hours and topics of the "Detention Officer Certification Course" but through extended absence occasioned by illness, accident, or emergency was absent for more than 10 percent of the total class hours of the course offering; or
- (2) The trainee was granted excused absences by the school director that did not exceed ten percent of the total class hours for the course offering and the school director could not schedule appropriate make-up work during the current course offering as specified in 12 NCAC 10B .0604(c) due to valid reasons; or
- (3) The trainee participated in an offering of the "Detention Officer Certification Course" but had an identified deficiency in essential knowledge or skill in either one, two or three, but no more than three, of the specified topic areas incorporated in the course content as prescribed under 12 NCAC 10B .0601(b).

(b) An authorization of limited enrollment in a subsequent course delivery may not be used by the Director unless in addition to the evidence required by Paragraph (a) of this Rule:

- (1) The trainee submits a written request to the Director, justifying the limited enrollment and certifying that the trainee's participation shall be accomplished pursuant to Paragraph (c) of this Rule; and
 - (2) The school director of the previous school offering submits to the director a certification of the particular topics and class hours attended and satisfactorily completed by the trainee during the original enrollment.
- (c) An authorization of limited enrollment in a subsequent course delivery permits the trainee to attend an offering of the "Detention Officer Certification Course" commencing within ~~120~~ 180 calendar days from the last date of trainee participation in prior course delivery, but only if the trainee's enrollment with active course participation can be accomplished within the period of the trainee's probationary certification:
- (1) The trainee need only attend and satisfactorily complete those portions of the course which were missed or identified by the school director as areas of trainee deficiency in the proper course participation.
 - (2) Following proper enrollment in the subsequent course offering, scheduled class attendance and active participation with satisfactory achievement in the course, the trainee would be eligible for administration of the State Comprehensive Examination by the Commission and possible certification of successful course completion.
 - (3) A trainee shall be enrolled as a limited enrollee in only one subsequent course offering within the ~~120~~ 180 calendar days from the last date of trainee participation in prior course delivery. A trainee who fails to complete those limited portions of the course after one retest shall enroll in an entire delivery of the Detention Officer Certification Course.
- (d) A trainee who is deficient in four or more subject-matter or topical areas at the conclusion of the course delivery shall complete a subsequent program in its entirety.

*History Note: Authority G.S. 17E-4; 17E-7;
 Eff. January 1, 1989;
 Amended Eff. January 1, 2014; August 1, 1998; January 1, 1996; January 1, 1993; January 1, 1992; January 1, 1991.*

12 NCAC 10B .1004 is proposed to be amended as follows:

12 NCAC 10B .1004 INTERMEDIATE LAW ENFORCEMENT CERTIFICATE

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

<i>Years of Law Enforcement Experience</i>	8	6	4
<i>Minimum Law Enforcement Training Points</i>	20	35	50
<i>Minimum Total Education and Training Points</i>	39	69	99

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

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 160 hours of training obtained by completing the commission-mandated basic law enforcement training course shall be credited toward training points.

History Note: Authority G.S. 17E-4;
 Eff. January 1, 1989;
 Amended Eff. January 1, 2014; January 1, 2013; August 1, 2002; August 1, 1998; January 1, 1996; January 1, 1992.

12 NCAC 10B .1005 is proposed to be amended as follows:

12 NCAC 10B .1005 ADVANCED LAW ENFORCEMENT CERTIFICATE

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

<u>Years of Law Enforcement Experience</u>	<u>12</u>	<u>9</u>
<u>Minimum Law Enforcement Training Points</u>	<u>35</u>	<u>50</u>
<u>Minimum Total Education and Training Points</u>	<u>69</u>	<u>99</u>

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

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 160 hours of training obtained by completing the commission-mandated basic law enforcement training course shall be credited toward training points.

History Note: Authority G.S. 17E-4;
 Eff. January 1, 1989;
 Amended Eff. January 1, 2014; January 1, 2013; August 1, 2002; August 1, 1998; January 1, 1996; January 1, 1994; January 1, 1992.

12 NCAC 10B .1204 is proposed to be amended as follows:

12 NCAC 10B .1204 INTERMEDIATE DETENTION OFFICER PROFESSIONAL CERTIFICATE

(a) In addition to the qualifications set forth in Rule .1202 of this Section, applicants for the Intermediate Detention Officer Professional Certificate shall possess or be eligible to possess the Basic Detention Officer Professional Certificate and shall have acquired the following combination of educational ~~points~~, points or degrees, detention officer or corrections training points and years of detention officer experience:

<u>Years of Detention Officer Experience</u>	<u>8</u>	<u>6</u>	<u>4</u>
<u>Minimum Detention Officer Training Points</u>	<u>6</u>	<u>12</u>	<u>16</u>
<u>Minimum Total Education and Training Points</u>	<u>13</u>	<u>23</u>	<u>33</u>

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

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 80 hours of training obtained by completing the commission-mandated detention certification course shall be credited toward training points.

History Note: Authority G.S. 17E-4;
 Eff. January 1, 1990;
 Amended Eff. January 1, 2014; January 1, 2013; August 1, 2002; August 1, 1998; January 1, 1996; January 1, 1992.

12 NCAC 10B .1205 is proposed to be amended as follows:

12 NCAC 10B .1205 ADVANCED DETENTION OFFICER PROFESSIONAL CERTIFICATE

(a) In addition to the qualifications set forth in Rule .1202 of this Section, applicants for the Advanced Detention Officer Professional Certificate shall possess or be eligible to possess the Intermediate Detention Officer

Professional Certificate and shall have acquired the following combination of educational ~~points~~, points or degrees, detention officer or corrections training points and years of detention officer experience:

<u>Years of Detention Officer Experience</u>	<u>12</u>	<u>9</u>
<u>Minimum Detention Officer Training Points</u>	<u>12</u>	<u>16</u>
<u>Minimum Total Education and Training Points</u>	<u>23</u>	<u>33</u>

<u>Educational Degrees</u>	<u>None</u>	<u>None</u>	<u>Associate</u>	<u>Bachelor</u>	<u>Doctoral, Professional or Master</u>
<u>Years of Detention Officer Experience</u>	<u>12</u>	<u>9</u>	<u>9</u>	<u>6</u>	<u>4</u>
<u>Minimum Detention Officer Training Points</u>	<u>12</u>	<u>16</u>	<u>27</u>	<u>26</u>	<u>26</u>
<u>Minimum Total Education and Training Points</u>	<u>23</u>	<u>33</u>	<u>27</u>	<u>26</u>	<u>26</u>

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 80 hours of training obtained by completing the commission-mandated detention certification course shall be credited toward training points.

*History Note: Authority G.S. 17E-4;
Eff. January 1, 1990;
Amended Eff. January 1, 2014; January 1, 2013; August 1, 2002; August 1, 1998; January 1, 1996; January 1, 1994; January 1, 1992.*

12 NCAC 10B .1604 is proposed to be amended as follows:

12 NCAC 10B .1604 INTERMEDIATE TELECOMMUNICATOR CERTIFICATE

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

<u>Years of Telecommunicator Experience</u>	<u>8</u>	<u>6</u>	<u>4</u>
<u>Minimum Telecommunicator Training Points</u>	<u>5</u>	<u>10</u>	<u>14</u>
<u>Minimum Total Education and Training Points</u>	<u>12</u>	<u>20</u>	<u>28</u>

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

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 40 hours of training obtained by completing the commission-mandated telecommunicator certification course shall be credited toward training points.

History Note: Authority G.S. 17E-4;
 Eff. April 1, 2001;
 Amended Eff. January 1, 2014; January 1, 2013; August 1, 2002.

12 NCAC 10B .1605 is proposed to be amended as follows:

12 NCAC 10B .1605 ADVANCED TELECOMMUNICATOR CERTIFICATE

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

Years of Telecommunicator Experience	12	9
Minimum Telecommunicator Training Points	10	12
Minimum Total Education and Training Points	20	23

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

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, a national or regional accrediting body, or the state university of the state in which the institution is located. No credit shall be given for any correspondence or vocational courses unless credited towards a degree by an accredited institution.

(c) No more than 40 hours of training obtained by completing the commission-mandated telecommunicator certification course shall be credited toward training points.

History Note: Authority G.S. 17E-4;
 Eff. April 1, 2001;
 Amended Eff. January 1, 2014; January 1, 2013; August 1, 2002.

SECTION .1900 - MILITARY AND MILITARY SPOUSE TRANSFEREES

12 NCAC 10B .1901 is proposed to be adopted as follows:

12 NCAC 10B .1901 MILITARY AND MILITARY SPOUSE TRANSFEREES

(a) Any person who meets the definitions of Military Transferee or Military Spouse Transferee as set out in N.C.G.S. 93B-15.1 who apply to the Division for a determination as to whether any certification issued by the Commission will be evaluated to determine what, if any, additional training is required. Specifically, the applicant will be evaluated to determine if:

(1) the Military Transferee:

- (a) has been awarded military occupational specialty that is substantially equivalent to or exceeds the training requirements required for certification;
- (b) has engaged in the active practice of that occupational specialty for at least two of the five years predefining the date of appointment;
- (c) has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice that occupation in this State at the time the act was committed; and;

The Military Transferee shall submit documentation verifying his/her qualified status.

(2) the Military Spouse Transferee:

- (a) holds a current license, certification, or registration from another jurisdiction which:
 - (i) is substantially equivalent to exceeds the training requirements required for certification;
 - (ii) is in good standing;
 - (iii) has not been disciplined by the agency that has the jurisdiction to issue the license, certification, certification or permit;
- (b) can demonstrate competency in the occupation by:
 - (i) having completed continuing education units;
 - (ii) or has engaged in the active practice of that occupational specialty for at least two of the five years predefining the date of appointment;
- (c) has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice that occupation in this State at the time the act was committed;

The Military Spouse Transferee shall submit documentation verifying his/her qualified status.

(b) The Commission shall waive a deputy sheriff's completion of the Commission-certified training course upon receiving documentary evidence from the employing agency that the individual has satisfactorily completed equivalent training. All such individuals, however, shall serve a one year period of probation.

(c) Training received in the military or in states with laws governing or regulating law enforcement training shall, if subject to such review, have been approved or certified by the appropriate agency of the state in which the training was received.

(d) The Commission shall prescribe as a condition of certification, supplementary or remedial training deemed necessary to equate previous training with current standards.

(e) The Commission may require satisfactory performance on a written examination as proof of equivalent training; however, such examination is in addition to the required equivalent training and not in lieu of said training.

History Note: Authority G.S. 17E-4; 17E-7;93B-15.1

Eff. January 1, 2014.

12 NCAC 10B .2005 is proposed to be amended as follows:

12 NCAC 10B .2005 MINIMUM TRAINING REQUIREMENTS

(a) A Sheriff or Department Head may use a lesson plan developed by the North Carolina Justice Academy, or may use a lesson plan for any of the topical areas developed by another entity. The Sheriff or Department Head may also use a lesson plan developed by a certified instructor, provided that the instructor develops the lesson plan in accordance with the Instructional Systems Development model as taught in Criminal Justice Instructor Training in 12 NCAC 09B .0209. Lesson plans are designed to be delivered in approximate hourly increments; however, a person who completed the training in less than or more than the hourly increment will receive the number of credits that correspond to the number of hours (i.e. Legal Update designed to be delivered in four hours, will yield four credits). With the exception of Firearms Training and Requalification, successful ~~Successful~~ completion of training shall be demonstrated by passing tests as developed by the delivering agency or as written by the North Carolina Justice Academy. Firearms Training and Requalification shall be demonstrated qualification with a firearm as set out in Section .2100 of this Subchapter. A written test comprised of at least five questions per hour of training shall be developed by the delivering agency, or the agency may use the written test developed by the North Carolina Justice Academy, for each in-service training topic. A student shall pass each test by achieving 70 percent correct answers.

~~(b) The 2012 Law Enforcement In-Service Training Program requires 24 hours of training in the following topical areas:~~

- ~~(1) Legal Update;~~
- ~~(2) Juvenile Minority Sensitivity Training: Interactions Skills in Building Rapport;~~
- ~~(3) Career Survival: Social Networking and Digital Communications;~~
- ~~(4) Firearms Training and Requalification for deputy sheriffs as set out in Section .2100 of this Subchapter;~~
- ~~(5) Awareness of Issues Surrounding Returning Military Personnel; and~~
- ~~(6) Any topic areas of the Sheriff's choosing.~~

~~(c) The 2012 Detention Officer In-Service Training Program requires 16 hours of training in the following topical areas:~~

- ~~(1) Inmate Movement;~~
- ~~(2) Career Survival for Detention Officers; Social Networking and Digital Communications; and~~
- ~~(3) Any topic areas of the Sheriff's or Department Head's choosing.~~

~~(d) The 2012 Telecommunicator In-Service Training Program requires 16 hours of training in the following topical areas:~~

- ~~(1) Legal Update for Telecommunicators;~~
- ~~(2) Career Survival for Telecommunicators; Social Networking and Digital Communications; and~~
- ~~(3) Any topic areas of the Sheriff's or Department Head's choosing.~~

~~(b)(e)~~ The 2013 Law Enforcement In-Service Training Program requires 24 credits of training and successful completion in the following topical areas:

- (1) Legal Update;
- (2) Juvenile Minority Sensitivity Training: Don't Press Send;
- (3) Domestic Violence: The Children are Watching;
- (4) Firearms Training and Requalification for deputy sheriffs as set out in Section .2100 of this Subchapter; and
- (5) Any topic areas of the Sheriff's choosing.

~~(c)(f)~~ The 2013 Detention Officer In-Service Training Program requires 16 credits of training and successful completion in the following topical areas:

- (1) Inmate Sexual Assaults;
- (2) Detention Officer Legal Update;
- (3) Awareness of Issues Surrounding Returning Military Personnel; and

- (4) Any topic areas of the Sheriff's or Department Head's choosing.
- ~~(d)~~(e) The 2013 Telecommunicator In-Service Training Program requires 16 credits of training and successful completion in the following topical areas:
- (1) Officer Involved Shootings;
 - (2) Radio Demeanor and Broadcast Techniques; and
 - (3) Any topic areas of the Sheriff's or Department Head's choosing.
- (e) The 2014 Law Enforcement In-Service Training Program requires 24 credits of training and successful completion in the following topical areas:
- (1) Legal Update;
 - (2) Juvenile Minority Sensitivity Training: A Juvenile – What Now;
 - (3) Officer Safety: The First Five Minutes;
 - (4) Firearms Training and Requalification for deputy sheriffs as set out in Section .2100 of this Subchapter; and
 - (5) Any topic areas of the Sheriff's choosing.
- (f) The 2014 Detention Officer In-Service Training Program requires 16 credits of training and successful completion in the following topical areas:
- (1) Surviving In Custody Death;
 - (2) Detention Officer Intelligence Update;
 - (3) Hidden in Plain Sight: Contraband Concealment and Delivery; and
 - (4) Any topic areas of the Sheriff's or Department Head's choosing.
- (g) The 2014 Telecommunicator In-Service Training Program requires 16 credits of training and successful completion in the following topical areas:
- (1) Hitting the Wall: Avoiding Complacency;
 - (2) Customer Service and the 911 Professional; and
 - (3) Any topic areas of the Sheriff's or Department Head's choosing.

*History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 2007;
Amended Eff. January 1, 2014; January 1, 2013; February 1, 2012; January 1, 2011; January 1, 2010; January 1, 2009; January 1, 2008.*

APPENDIX B
Current Rules Indirectly Impacted by the Proposed Amendments

12 NCAC 10B .2003 IN-SERVICE TRAINING COORDINATOR

(a) If a Sheriff or Department Head chooses to conduct its own in-service training, then the Sheriff or Department Head must also appoint an "In-Service Training Coordinator" who meets the following criteria:

- (1) Has four years of experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system;
- (2) Holds General Instructor certification; and
- (3) Has successfully participated in the "Coordinating In-Service Training" course presented by the NC Justice Academy for the purpose of familiarization with trainee and instructor evaluation.

The Sheriff or Department Head shall submit an application for such appointment to the Division for approval of this designation.

(b) An In-Service Training Coordinator shall:

- (1) Administer the delivery of the course curriculum.
- (2) Select and schedule instructors.
- (3) Ensure that each instructor utilizes a lesson plan previously approved by the Sheriff or his or her designee.
- (4) Monitor, or designate a certified instructor to monitor the presentations of instructors during course deliveries and prepare a written evaluation on their performance and suitability for subsequent instructional assignments. The observations shall be of sufficient duration to ensure the instructor is using the Instructional System Development model, as taught in Criminal Justice Instructor Training set out in 12 NCAC 09B .0209, and that the delivery is objective based, documented by and consistent with a Commission-approved lesson plan.
- (5) Maintain records of all in-service training received by the agency's deputies, detention officers, and telecommunicators including:
 - (A) the course title;
 - (B) the delivery hours of course;
 - (C) the course delivery dates;
 - (D) the names and addresses of instructors utilized for each topic; and
 - (E) A roster of enrolled trainees documenting class attendance.

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 2007;
Amended Eff. January 1, 2013.

12 NCAC 10B .2006 IN-SERVICE TRAINING PROGRAM SPECIFICATIONS

Justice officers who have been active as a deputy sheriff, detention officer, or telecommunicator between January and June of each calendar year must complete the respective In-Service Training Program(s) established by 12 NCAC 10B .2002 by December of each calendar year. For each justice officer holding multiple certifications from the Commission, the Sheriff shall designate the officer's primary duties for the purpose of selecting which one of the in-service training programs the officer must complete for a calendar year. A justice officer who fails to complete in-service training as required, but is either separated or made inactive prior to the end of the calendar year, may be re-activated after completing the in-service training program prescribed for the year immediately preceding the year in which the officer is being activated. Persons applying to receive deputy certification who have prior service as a

criminal justice officer as defined in 12 NCAC 09A .0103(6) between January and June of a prior year who failed to complete in-service training for that year, must complete the in-service training program prescribed for the year immediately preceding the year in which the officer is being activated as a deputy.

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 2007;
Amended Eff. January 1, 2013; January 1, 2010.

12 NCAC 10B .2009 TRAINING DELIVERY

The training provider shall ensure that the:

- (1) training is documented by roster that includes:
 - (a) student names;
 - (b) date and time of training;
 - (c) instructional topic;
 - (d) hours taught;
 - (e) instructor's name; and
 - (f) training provider.

The training provider may also issue a certificate to the officer;

- (2) training is taught by a Commission certified instructor;
- (3) instructors use the lesson plans prepared by the NC Justice Academy, another entity or develop their own developed in accordance with the provisions of 12 NCAC 10B .2005(a);
- (4) instructors provide each student with a copy of the student lesson plan during the course delivery; and
- (5) a copy of the lesson plan(s) is maintained indefinitely by the training provider.

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 2013.