Specialized Instructors and Hazardous Materials Instructor Course

Agency: Department of Justice, Criminal Justice Standards Division
Contact: Teresa Marrella (919) 661-5980
Impact: State government: Yes, Local government: Yes, Substantial impact: No

Rule Amendments (see Appendix for proposed rule text):

12 NCAC 09B .0202 RESPONSIBILITIES OF THE SCHOOL DIRECTOR
This rule outlines the responsibilities of the school director when operating a criminal justice course.

- **Statutory authority for the rule change:** G.S. 17C-6.
- **Amendment:** Basic Law Enforcement topic name change from Electrical and Hazardous Materials to Explosives and Hazardous Materials, which is a more accurate description of the content in this block of instruction.

12 NCAC 09B .0304 SPECIALIZED INSTRUCTOR CERTIFICATION
This rule outlines the requirements for becoming a certified specialized instructor in each type of specialized instructor course.

- **Statutory authority for the rule change:** G.S. 17C-6.
- **Amendment:** The requirements to become certified as an Explosive and Hazardous Materials Emergencies (EHME) instructor are proposed for amendment. Currently certified EHME instructors do not have to take the new course in order to keep their certification. The proposed requirements would apply only to new instructors after the effective date of the amended and new rules. The new requirement involves a new Specialized Explosives and Hazardous Materials Instructor Training course, outlined in the proposed rule .0417 below.

Under the current rule there are two ways for a person to become certified as an EHME instructor:

1. Be certified as a First Responder Awareness Level Hazardous Materials Instructor and have taken the Fire Service Instructor Methodology Course for a total of 146 hours of instruction.

2. Be certified as a General Instructor and have completed the Awareness/Operations Level Hazardous Materials Course for a total of 123 hours.

Under the proposed amendment to the rule, there would still be two ways to become an EHME instructor, but the number of hours of training would change:

1. Be certified as a General Instructor plus have taken the new EHME Instructor course (outlined in rule .0417) for a total of 148 hours.

2. Have taken the Fire Service Instructor Methodology Course plus have taken the new EHME Instructor course (outlined in rule .0417) for a total of 132 hours.

12 NCAC 09B .0414 COMPREHENSIVE WRITTEN EXAM - SPECIALIZED INSTRUCTOR TRAINING
This rule outlines the requirement that at the end of each type of specialized instructor course a written exam must be administered and passed with a score of 75% or greater.

- **Statutory authority for the rule change:** G.S. 17C-6, 17C-10.
- **Amendment:** The proposed new course Specialized Explosives and Hazardous Materials Instructor Training course has been added. Although this is a new course, students who choose to be certified as a specialized instructor under either Option 1 or Option 2 as outlined in rule .0304 would still be required to take only two courses and two exams.
12 NCAC 09B .0415 SATISFACTION OF MINIMUM TRAINING -- SPECIALIZED INSTRUCTOR
This rule outlines the requirements necessary to satisfy the minimum training standards for specialized instructor courses.

- **Statutory authority for the rule change:** G.S. 17C-6, 17C-10.
- **Amendment:** The proposed new course Specialized Explosives and Hazardous Materials Instructor Training course has been added. Again, while this is a new course, it does not alter the number of courses students who choose to be certified under either Option 1 or Option 2 of rule .0304 would be required to take.

12 NCAC 09B .0417 SPECIALIZED EXPLOSIVES AND HAZARDOUS MATERIALS INSTRUCTOR TRAINING
This is a new rule proposed for adoption that outlines the requirements for the Specialized Explosives and Hazardous Materials Instructor Training course.

- **Statutory authority for the rule change:** G.S. 17C-6
- **Adoption:** This new EHME course has been developed specifically to address explosives and hazardous materials concerns from a law enforcement perspective.

**Fiscal Impact of the rules listed above:**

The purpose of the new course is to offer instruction in electrical and hazardous materials emergencies from the law enforcement perspective. Currently, all EHME instructors are required to take courses through the State Fire Marshal’s Office. Those courses are designed specifically for firefighters who have a different role than law enforcement officers when responding to this type of emergency.

- **State Impact:** The Justice Academy is the only school authorized to offer the new Specialized Explosive and Hazardous Materials Instructor Training course has already developed the curriculum for it. Development of new courses is included in the annual budget. The one-time cost related to staff time to developed this proposed new course is estimated at about $5,300, given the 156 hours spent on development by staff compensated at a rate of about $34/hour.

The new course will be offered once a year and will have approximately 20 students enrolled, based on current annual enrollment (this rule is not expected to have an impact on enrollment). The current courses required for certification as an EHME Instructor (First Responder Awareness Level Hazardous Materials Instructor course and Awareness/Operations Level Hazardous Materials course) are also taught by state employed instructors through the Fire Marshal’s Office. So the annual state government costs for teaching the new course result solely from the additional hours required to obtain the qualifications required. Based on the proposed rule changes, Option 1 under rule .0304 would require two additional hours of instruction and Option 2 would require nine additional hours – see Table 1 below.

It is estimated that of the 20 new students each year, half of them will choose Option 1 and half will choose Option 2. Since the required courses are offered by the Justice Academy, the additional cost to the State will be the additional hours of instruction time required by the new Options 1 and 2, estimated at about $370 (see Table 2 below). The state government would also incur opportunity costs related to offering an additional night of free lodging too the law enforcement officers that attend courses at the Justice Academy (this is standard practice). There is not enough data to compute the additional cost.

- **Local Government Impact:** Of the twenty new students each year, it is estimated that most or all of them will be from local government agencies, so this rule change would lead to an additional annual cost to local government of about $2,600 in staff time costs (see Table 2). Given the additional hours of instruction, local governments would also incur additional costs related to per diem for local
government law enforcement officers attending the courses. Assuming all students are local government employees and that Option 1 would require an additional meal, and Option 2 an additional day and a half of meals, the additional annual per diem cost to local governments is estimated at $300. Again, lodging at the Justice Academy is free for law enforcement officers (state subsidized). Thus, total additional annual costs for local governments would be about $3,000.

- **Substantial Economic Impact:** No
- **Small Business Impact:** No

### Table 1. Change in Number of Course Hours Required

<table>
<thead>
<tr>
<th>Option 1</th>
<th>Current Hours</th>
<th>Proposed Hours</th>
<th>Difference in Hours Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>First Responder Awareness Level</strong></td>
<td>82</td>
<td>80</td>
<td>-2</td>
</tr>
<tr>
<td>Hazardous Materials Instructor (series of 4 courses)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fire Service Instructor</strong></td>
<td>64</td>
<td>68</td>
<td>4</td>
</tr>
<tr>
<td><strong>Methodology Course</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td>146</td>
<td>148</td>
<td>2</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Option 2</th>
<th>Current Hours</th>
<th>Proposed Hours</th>
<th>Difference in Hours Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Instructor</strong></td>
<td>80</td>
<td>64</td>
<td>-16</td>
</tr>
<tr>
<td><strong>Fire Service Instructor</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Methodology Course</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Awareness/Operations Level</strong></td>
<td>43</td>
<td>68</td>
<td>25</td>
</tr>
<tr>
<td>Hazardous Materials Course</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td>123</td>
<td>132</td>
<td>9</td>
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</tbody>
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### Table 2. Annual State and Local Government Impact

<table>
<thead>
<tr>
<th>Option</th>
<th>Average Hourly Compensation*</th>
<th>Additional Hours</th>
<th>Additional Cost per Person</th>
<th>Number of Persons</th>
<th>Additional Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option 1</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instructor</td>
<td>$34</td>
<td>2</td>
<td>$68</td>
<td>1</td>
<td>$68</td>
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<tr>
<td>Student</td>
<td>$24</td>
<td>2</td>
<td>$48</td>
<td>10</td>
<td>$480</td>
</tr>
<tr>
<td>Per diem</td>
<td></td>
<td></td>
<td>$5.12</td>
<td>10</td>
<td>$512</td>
</tr>
<tr>
<td><strong>Option 2</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instructor</td>
<td>$34</td>
<td>9</td>
<td>$306</td>
<td>1</td>
<td>$306</td>
</tr>
<tr>
<td>Student</td>
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<tr>
<td>Per diem</td>
<td></td>
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<td>$24.46</td>
<td>10</td>
<td>$245</td>
</tr>
</tbody>
</table>

**Annual Cost to State:** $374  
**Annual Cost to Local Govt.:** $2,936  
**Total Annual Costs:** $3,310

* Assumes the benefits for both state and local government employees are about 34% and constant for the following years.
12 NCAC 09B .0202 is proposed for amendment as follows:

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 they must comply with the Basic Law Enforcement Course Management Guide and provide them 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 timely 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, regulations, 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 and 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, 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; and
11. Report the completion of each presentation of a Commission-certified criminal justice training course to the Commission.

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

1. Deliver training in accordance with the most current version of the Basic Law Enforcement Training Course Management Guide as published by the North Carolina Justice Academy;
Schedule course presentation to include 12 hours of instruction each week during consecutive calendar weeks except that there may be as many as three one-week breaks until course requirements are completed;

Schedule only those instructors certified by the Commission to teach those high liability areas as specified in 12 NCAC 09B .0304(a) as either the lead instructor or in any other capacity;

With the exception of the First Responder, Physical Fitness, Electrical Explosives, and Hazardous Materials, and topical areas as outlined in 12 NCAC 09B .0304(a) of this Subchapter, schedule one specialized certified instructor certified by the Commission for each six trainees while actively engaged in a practical performance exercise;

Schedule one specialized certified instructor certified by the Commission for each eight trainees while actively engaged in a practical performance exercise in the topical area "Subject Control Arrest Techniques;"

Not schedule any single individual to instruct more than 35 percent of the total hours of the curriculum during any one delivery of the Basic Law Enforcement Training Course presentation;

Not less than 15 days before commencing delivery of the Basic Law Enforcement Training Course, submit to the Commission a Pre-Delivery Report of Training Course Presentation as set out in 12 NCAC 09C .0211 along with the following attachments:

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

(B) a copy of any rules, regulations, and requirements for the school. A copy of such rules shall also be given to each trainee and to the executive officer of each trainee's employing or sponsoring agency or department at the time the trainee enrolls in the course;

Monitor, or designate an instructor certified by the Commission to monitor, the presentations of all instructors once during each three year certification period in each topic taught by the instructor and prepare written evaluations 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 Design model, and that the delivery is objective based, documented by and consistent with a Commission-approved lesson plan. For each topic area, the School Director's evaluation shall be based upon the course delivery observations, the instructor's use of the approved lesson plan, and the results of the student evaluation of the instructor. For probationary instructors, these evaluations shall be prepared on Commission forms 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 Commission forms in accordance with Commission standards as set out in this Chapter. These evaluations shall 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 designated instructor certified by the Commission 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 as determined necessary at various intervals 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 12 NCAC 09B .0405(a)(3);

(10) During a delivery of Basic Law Enforcement Training, make available to the Commission four hours of scheduled class time and classroom facilities for the administration of a written examination to those trainees who have satisfactorily completed all course work; and

(11) Not more than 10 days after receiving from the Commission's representative the Report of Examination Scores, submit to the Commission a Post-Delivery Report of Training Course Presentation (Form F-10B) which shall include:
(A) a "Student Course Completion" form for each individual enrolled on the day of orientation; and
(B) a "Certification and Test Score Release" form.

(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 40 hours of instruction each week during consecutive calendar weeks 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, must have successfully 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 must document successful participation in a program presented by the Justice Academy for purposes of familiarization and supplementation relevant to delivery of the instructor training course and trainee evaluation;

(3) Not less than 30 days before commencing delivery of the course, submit to the Commission a Pre-Delivery Report of Training Course Presentation [Form F-10A(ITC)] with the following attachments:
(A) a course schedule showing arrangement of topical presentations and proposed instructional assignments;
(B) the names and social security numbers of all instructors and evaluators; and
(C) a copy of any rules, regulations, and requirements for the school; and
(4) Not more than 10 days after course completion submit to the Commission a Post-Delivery Report [Form F-10B(ITC)] containing the following:

(A) class enrollment roster;

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

(C) scores recorded for each trainee on both the 80 minute skill presentation and the final written examination; and

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

(d) In addition to Paragraph (a) of this Rule, in planning, developing, coordinating and delivering each Commission-certified radar, radar and time-distance, time-distance, or lidar speed measurement operator training course or re-certification course, the School Director shall:

(1) select and schedule radar, time-distance, or lidar speed measurement instrument instructors who are certified by the Commission as instructors for the specific speed measurement instruments in which the trainees are to receive instruction;

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

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

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

(2) not less than 30 days before the scheduled starting date submit to the Director of the Standards Division a Request for Training Course Presentation, and which shall contain a period of course delivery including the proposed starting date, course location and the number of trainees to be trained on each type of approved speed measurement instrument. The Director of the Standards Division shall review the request and notify the School Director of the accepted delivery period unless a conflict exists with previously scheduled programs;

(3) during the delivery of the training course, make available to the Commission two hours of scheduled class time and classroom facilities for the administration of a written examination to the trainee; and

(4) upon completing delivery of the Commission-certified course, and not more than 10 days after receiving from the Commission's representative the Report of Examination Scores, the School Director shall notify the Commission regarding the progress and achievements of each trainee by submitting a Post-Delivery Report of Training Course Presentation. This report shall include the original motor-skill examination form(s) completed and signed by the certified instructor responsible for administering the motor-skill examination to the respective trainee.

History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. November 1, 1981;
Readopted w/change Eff. July 1, 1982;
Amended Eff. April 1, 2009; November 1, 2007; January 1, 2006; May 1, 2004; August 1, 2000; January 1, 1996; November 1, 1993; December 1, 1987; January 1, 1985.
12 NCAC 09B .0304 is proposed for amendment as follows:

12 NCAC 09B .0304  SPECIALIZED INSTRUCTOR CERTIFICATION

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

(1) Subject Control Arrest Techniques
(2) First Responder
(3) Firearms
(4) Law Enforcement Driver Training
(5) Physical Fitness
(6) Restraint, Control and Defense Techniques (DJJDP)
(7) Medical Emergencies (DJJDP)
(8) Explosive and Hazardous Materials Emergencies

(b) To qualify for and maintain any Specialized Instructor Certification, an applicant must possess a valid CPR Certification that included cognitive and skills testing, through an organization whose curriculum meets the national standards set forth by the International Guidelines Conference on Cardiopulmonary Resuscitation and Emergency Cardiovascular Care.

(c) To qualify for Specialized Instructor Certification in the Subject Control Arrest Techniques topical area, an applicant must meet the following requirements:

(1) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
(2) successfully complete the pertinent Commission-approved specialized instructor training course; and
(3) obtain the recommendation of a Commission-certified school director or in-service training coordinator.

(d) To qualify for Specialized Instructor Certification in the First Responder topical area, an applicant must satisfy one of the following two options:

(1) The first option is:
   (A) hold CPR instructor certification through an organization whose curriculum meets the national standard;
   (B) hold, or have held, basic Emergency Medical Technician certification;
   (C) have successfully completed the Department of Transportation's 40 hour EMT Instructor Course or equivalent within the last three years or hold a North Carolina teaching certificate; and
   (D) obtain the recommendation of a Commission-certified school director or in-service training coordinator.

(2) The second option is:
   (A) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
(B) hold CPR instructor certification through an organization whose curriculum meets the national standard;

(C) hold, or have held, basic EMT certification; and

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

(e) To qualify for Specialized Instructor Certification in the Firearms topical area, an applicant must meet the following requirements:

1. hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
2. successfully complete the pertinent Commission-approved specialized instructor training course; and
3. obtain the recommendation of a Commission-certified school director or in-service training coordinator.

(f) To qualify for Specialized Instructor Certification in the Law Enforcement Driver Training topical area, an applicant must meet the following requirements:

1. hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
2. successfully complete the pertinent Commission-approved specialized instructor training course; and
3. obtain the recommendation of a Commission-certified school director or in-service training coordinator.

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

1. The first method is:
   (A) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
   (B) successfully complete the pertinent Commission-approved specialized instructor training course; and
   (C) obtain the recommendation of a Commission-certified School Director.

2. The second method is:
   (A) successfully complete the pertinent Commission-approved specialized instructor training course;
   (B) obtain the recommendation of a Commission-certified School director or in-service training coordinator; and
   (C) meet one of the following qualifications:
      (i) hold a valid North Carolina Teacher's Certificate and hold a minimum of a baccalaureate degree in physical education and be presently teaching in physical education topics; or
      (ii) be presently instructing physical education topics in a community college, college or university and hold a minimum of a baccalaureate degree in physical education.
To qualify for Specialized Instructor Certification in the Department of Juvenile Justice and Delinquency Prevention Restraint, Control and Defense Techniques topical area, an applicant must meet the following requirements:

1. hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
2. successfully complete the pertinent Commission-approved specialized instructor training course; and
3. obtain the recommendation of a Commission-certified school director.

To qualify for Specialized Instructor Certification in the Department of Juvenile Justice and Delinquency Prevention Medical Emergencies topical area, an applicant must meet the following requirements:

1. have successfully completed a Commission-certified basic 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, within the 12 month period preceding application;
2. hold instructor certification in CPR and First Aid by fulfillment of the American Red Cross Instructor requirements; and
3. obtain the recommendation of a Commission-certified school director.

To qualify for Specialized Instructor Certification in the Explosive and Hazardous Materials Emergencies topical area, an applicant must satisfy one of the following two options:

1. The first option is:
   
   A. hold instructor certification as a First Responder Awareness Level Hazardous Materials instructor, hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section;
   
   B. have successfully completed the Fire Service Instructor Methodology Course or the equivalent utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise; successfully complete the pertinent Commission-approved specialized instructor training course; and
   
   C. obtain the recommendation of a Commission-certified school director or in-service training coordinator.

2. The second option is:

   A. hold General Instructor Certification, either probationary status or full general instructor status, as specified in 12 NCAC 09B .0303 of this Section; have successfully completed the Fire Service Instructor Methodology Course or the equivalent utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise;
   
   B. have successfully completed the Awareness/Operations Level Hazardous Materials Course developed by the North Carolina Department of Insurance, Office of the State Fire Marshal; successfully complete the pertinent Commission-approved specialized instructor training course; and
   
   C. obtain the recommendation of a Commission-certified school director or in-service training coordinator.
History Note:  
Authority G.S. 17C-6;  
Eff. January 1, 1981;  
Amended Eff. August 1, 2000; July 1, 1991; March 1, 1990; July 1, 1989; December 1, 1987;  
Temporary Amendment Eff. January 1, 2001;  
Amended Eff. ______; April 1, 2009; August 1, 2006; January 1, 2006; December 1, 2004; August 1, 2002.
12 NCAC 09B .0414 is proposed for amendment as follows:

12 NCAC 09B .0414 COMPREHENSIVE WRITTEN EXAM - SPECIALIZED INSTRUCTOR TRAINING

(a) At the conclusion of a school's offering of the "Specialized Firearms Instructor Training" course, "Specialized Driver Instructor Training" course, "Specialized Subject Control Arrest Techniques Instructor Training" course, "Specialized Physical Fitness Instructor Training" course, "Specialized Explosives and Hazardous Materials Instructor Training" course, the "Radar Instructor Training Course," Training course, the "Criminal Justice TD/SMI Instructor Training Course," Training course, the "Lidar Instructor Training Course," Training course, the "Re-Certification Training for Radar Instructors" course, the "Re-Certification Training for TD/SMI Instructors" course, and the "Re-Certification Training for Lidar Instructors" course, in its entirety, the Commission shall administer a comprehensive written examination to each trainee who has satisfactorily completed all of the required course work. A trainee cannot be administered the comprehensive written examination until such time as all of the pertinent course work is completed.

(b) The examination shall be an objective test consisting of multiple-choice, true-false, or similar questions covering the topic areas contained in the certified course curriculum.

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

(d) A trainee shall successfully complete the comprehensive written examination if he/she achieves 75 percent correct answers.

(e) A trainee who fails to achieve a score of 75 percent on the Commission's comprehensive written examination shall not be given successful course completion and shall enroll and successfully complete a subsequent offering of the specialized instructor training course in its entirety before further examination may be permitted.

History Note: Authority G.S. 17C-6; 17C-10;
Eff. February 1, 1987;
Amended Eff. May 1, 2004; August 1, 2000; April 1, 1999; July 1, 1989.
12 NCAC 09B .0415 is proposed for amendment as follows:

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

(a) To acquire successful completion of the "Specialized Firearms Instructor Training" course, "Specialized Driver Instructor Training" course, "Specialized Subject Control Arrest Techniques Instructor Training" course, "Specialized Physical Fitness Instructor" course, and the “Specialized Explosives and Hazardous Materials Instructor Training” course, the trainee shall:

1. satisfactorily complete all required coursework as specified in the course abstract of the "Specialized Firearms Instructor Training Manual," the "Specialized Driver Instructor Training Manual," the "Specialized Subject Control Arrest Techniques Instructor Training Manual," and the "Specialized Physical Fitness Instructor Training Manual," and the “Specialized Explosives and Hazardous Materials Instructor Training Manual” as published by the North Carolina Justice Academy; and

2. demonstrate proficiency in all required motor-skill and performance subjects as specified in each specialized instructor training manual; and

3. achieve a score of 75 percent correct answers on a comprehensive written examination.

(b) Should a trainee fail to meet the minimum criteria on a motor-skill or performance area, he/she shall be authorized one opportunity for a re-test at the discretion of the school director. Such re-test must be completed during the original course and prior to the trainee's being administered the comprehensive written examination. Failure to meet the required criteria on a re-test requires enrollment in a subsequent course.

_History Note:_  
Authority G.S. 17C-6; 17C-10;  
Eff. February 1, 1987;  
Amended Eff. August 1, 2000; July 1, 1989.
12 NCAC 09B .0417 is proposed for adoption as follows:

12 NCAC 09B .0417 SPECIALIZED EXPLOSIVES AND HAZARDOUS MATERIALS INSTRUCTOR TRAINING

(a) The instructor training course required for specialized explosives and hazardous materials instructor certification shall consist of a minimum of 68 hours of instruction presented during a continuous period of not more than two weeks.

(b) Each specialized explosives and hazardous materials instructor training course shall be designed to provide the trainee with the skills and knowledge to perform the function of a criminal justice explosives and hazardous materials instructor in a Basic Law Enforcement Training Course or a "Law Enforcement Officers' Annual In-Service Training Program."

(c) Each applicant for specialized explosives and hazardous materials instructor training shall:
   (1) have completed either
      (A) the criminal justice general instructor training course; or
      (B) have successfully completed the Fire Service Instructor Methodology Course or the equivalent utilizing the Instructional Systems Design model, an international model with application in education, military training, and private enterprise;
   (2) present a written endorsement by either
      (A) a certified school director indicating the student will be utilized to instruct explosives and hazardous materials in Basic Law Enforcement Training Courses; or
      (B) a department head, certified school director, or in-service training coordinator, indicating the student will be utilized to instruct explosives and hazardous materials training in the "Law Enforcement Officer's Annual In-Service Training Program"; and
   (3) present a completed OSHA Respirator Medical Evaluation Questionnaire, accompanied by a statement from a licensed medical professional stating the applicant is physically fit to participate in the course.

(d) Each specialized explosives and hazardous materials instructor training course shall include the following identified topic areas and minimum instructional hours for each area:

   (1) Orientation 2 Hours
   (2) Introduction to Hazardous Materials 1 Hour
   (3) Hazardous Materials Identification 2.5 Hours
   (4) Awareness Level Actions at Hazardous Materials Incidents 1.5 Hours
   (5) Chemical Properties and Hazardous Materials Behavior 3 Hours
   (6) Incident Management 3 Hours
   (7) Strategic Goals and Tactical Objectives 3.5 Hours
   (8) Terrorist and Other Criminal Activity 5 Hours
   (9) Personal Protective Equipment 5 Hours
   (10) Decontamination 5 Hours
   (11) Product Control 4 Hours
   (12) Air Monitoring and Sampling 1.5 Hours
   (13) Victim Rescue and Recovery 4 Hours
<table>
<thead>
<tr>
<th>Course Description</th>
<th>Hours</th>
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</thead>
<tbody>
<tr>
<td>Evidence Preservation and Sampling</td>
<td>3</td>
</tr>
<tr>
<td>Illicit Laboratories</td>
<td>2</td>
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<tr>
<td>Introduction to Explosive Devices</td>
<td>1</td>
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<tr>
<td>Improvised Explosive Device Anatomy</td>
<td>2</td>
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<tr>
<td>Packaged Improvised Explosive Devices</td>
<td>1</td>
</tr>
<tr>
<td>Suicide/Homicide Improvised Explosive Devices</td>
<td>1</td>
</tr>
<tr>
<td>Vehicle Borne Improvised Explosive Devices</td>
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</tr>
<tr>
<td>Radio Controlled Improvised Explosive Devices with Live Demonstration</td>
<td>5</td>
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<tr>
<td>Improvised Explosive Device Threat Response</td>
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<tr>
<td>Explosives and Hazardous Materials Emergencies and BLET Lesson Plan</td>
<td>10</td>
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<tr>
<td>Review</td>
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(e) The texts and publications utilized in the “Explosives and Hazardous Materials Specialized Instructor Training” course shall be those approved by the Education and Training Committee of the Criminal Justice Education and Training Standards Commission, along with the current "Explosives and Hazardous Materials Emergencies Basic Law Enforcement Training Manual" as published by the North Carolina Justice Academy, which shall be used as the basic curriculum for delivery of specialized Explosives and Hazardous Materials instructor training courses. Copies of these publications 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 27610

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

North Carolina Justice Academy
Post Office Box 99
Salemburg, North Carolina 28385

(f) Commission-certified schools that are certified to offer the "Specialized Explosives and Hazardous Materials Instructor Training" course are: The North Carolina Justice Academy.

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