

## CHAPTER 5 - TRAINING AND STANDARDS COUNCIL

### SECTION .0100 - ORGANIZATION

<b>12 NCAC 05 .0101</b>	<b>LOCATION</b>
<b>12 NCAC 05 .0102</b>	<b>PURPOSE</b>
<b>12 NCAC 05 .0103</b>	<b>DEFINITIONS</b>
<b>12 NCAC 05 .0104</b>	<b>EXECUTIVE OFFICER</b>

*History Note:* Authority G.S. 17A-3; 17A-6;  
Eff. February 1, 1976;  
Amended Eff. January 15, 1977;  
Readopted Eff. September 27, 1977;  
Amended Eff. January 15, 1980; August 1, 1979;  
Repealed Eff. January 1, 1981.

### SECTION .0200 - MINIMUM STANDARDS FOR EMPLOYMENT OF CRIMINAL JUSTICE OFFICERS

<b>12 NCAC 05 .0201</b>	<b>LAW ENFORCEMENT OFFICERS</b>
<b>12 NCAC 05 .0202</b>	<b>CORRECTIONAL OFFICERS</b>

*History Note:* Authority G.S. 17A-6; 17A-7(c);  
Eff. January 15, 1980;  
Amended Eff. April 22, 1976;  
Readopted Eff. September 27, 1977;  
Repealed Eff. January 1, 1981.

<b>12 NCAC 05 .0203</b>	<b>YOUTH CORRECTIONAL OFFICERS</b>
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*History Note:* Filed as an Emergency Amendment [(5)] Eff. August 28, 1978 for a Period of  
120 Days to Expire on December 26, 1978;  
Statutory Authority G.S. 17A-6; 17A-7(c);  
Eff. February 1, 1976;  
Readopted Eff. September 27, 1977;  
Emergency Amendment [(5)] Made Permanent Eff. December 15, 1978;  
Repealed Eff. January 1, 1981.

<b>12 NCAC 05 .0204</b>	<b>PROBATION/PAROLE OFFICERS</b>
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*History Note:* Authority G.S. 17A-6; 17A-7(c);  
Eff. February 1, 1976;  
Readopted Eff. September 27, 1977;  
Repealed Eff. January 1, 1981.

<b>12 NCAC 05 .0205</b>	<b>PROBATION/PAROLE INTAKE OFFICERS</b>
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*History Note:* Authority G.S. 17A-6; 17A-7(c);  
Eff. January 15, 1980;  
Repealed Eff. January 1, 1981.

### SECTION .0300 - SPECIFICATIONS FOR MINIMUM STANDARDS FOR EMPLOYMENT OF CRIMINAL JUSTICE OFFICERS

**12 NCAC 05 .0301      PERSONAL HISTORY INVESTIGATION**  
**12 NCAC 05 .0302      COUNCIL FORM F-3**  
**12 NCAC 05 .0303      FINGERPRINT RECORD CHECK**  
**12 NCAC 05 .0304      FORM FD-258**

*History Note:*    Authority G.S. 17A-6; 17A-7(c);  
                         Eff. February 1, 1976;  
                         Amended Eff. April 22, 1976;  
                         Readopted Eff. September 27, 1977;  
                         Amended Eff. August 1, 1979;  
                         Repealed Eff. January 1, 1981.

**12 NCAC 05 .0305      MINIMUM EDUCATION REQUIREMENTS**

*History Note:*    Filed as an Emergency Amendment [(b)(3)] Eff. August 28, 1978 for a Period of  
                         120 Days to Expire on December 26, 1978;  
                         Statutory Authority G.S. 17A-6; 17A-7(c);  
                         Eff. February 1, 1976;  
                         Readopted Eff. September 27, 1977;  
                         Amended Eff. January 8, 1978;  
                         Emergency Amendment [(b)(3)] Made Permanent Eff. December 15, 1978;  
                         Amended Eff. January 15, 1980;  
                         Repealed Eff. January 1, 1981.

**12 NCAC 05 .0306      OCCUPATIONAL APTITUDE TEST FOR LAW ENFORCEMENT OFFICERS**  
**12 NCAC 05 .0307      MEDICAL EXAMINATION**  
**12 NCAC 05 .0308      COUNCIL FORM F-1: COUNCIL FORM F-2**  
**12 NCAC 05 .0309      QUALIFICATION APPRAISAL INTERVIEW**  
**12 NCAC 05 .0310      COUNCIL FORM F-4**

*History Note:*    Authority G.S. 17A-6; 17A-7(c);  
                         Eff. February 1, 1976;  
                         Readopted Eff. September 27, 1977;  
                         Amended Eff. January 8, 1978;  
                         Repealed Eff. January 1, 1981.

#### **SECTION .0400 - CERTIFICATION PROCEDURES FOR CRIMINAL JUSTICE OFFICERS**

**12 NCAC 05 .0401      PROBATIONARY PERIOD**  
**12 NCAC 05 .0402      REPORT OF APPOINTMENT OR SEPARATION**  
**12 NCAC 05 .0403      COUNCIL FORM F-5**  
**12 NCAC 05 .0404      CERTIFICATION OF CRIMINAL JUSTICE PERSONNEL**  
**12 NCAC 05 .0405      EXEMPTIONS**  
**12 NCAC 05 .0406      OFFICERS EMPLOYED AFTER EXEMPTION DATE**  
**12 NCAC 05 .0407      METHOD OF CERTIFICATION**  
**12 NCAC 05 .0408      TERM OF CERTIFICATION: PERIOD OF REVOCATION**  
**12 NCAC 05 .0409      LATERAL TRANSFER FOR LAW ENFORCEMENT OFFICERS**  
**12 NCAC 05 .0410      RETENTION OF CERTIFICATION RECORDS**

*History Note:*    Authority G.S. 17A-6; 17A-7(a); 17A-7(b); 17A-7(c); 17A-7(d);  
                         Eff. February 1, 1976;  
                         Amended Eff. September 10, 1976; May 27, 1976; April 22, 1976;  
                         Readopted Eff. September 27, 1977;  
                         Amended Eff. January 15, 1980; August 1, 1979;

*Repealed Eff. January 1, 1981.*

**SECTION .0500 - MINIMUM STANDARDS FOR BASIC TRAINING COURSE**

<b>12 NCAC 05 .0501</b>	<b>MINIMUM STANDARDS FOR TRAINING</b>
<b>12 NCAC 05 .0502</b>	<b>WAIVER</b>
<b>12 NCAC 05 .0503</b>	<b>TRAINING COURSE ACCREDITATION</b>
<b>12 NCAC 05 .0504</b>	<b>REPORTS OF TRAINING COURSE PRESENTATION: COMPLETION</b>
<b>12 NCAC 05 .0505</b>	<b>COUNCIL FORM F-11</b>
<b>12 NCAC 05 .0506</b>	<b>CERTIFICATION OF INSTRUCTORS</b>

*History Note: Authority G.S. 17A-6; 17A-7(b); 17A-7(c); 17A-7(d);  
Eff. February 1, 1976;  
Amended Eff. February 15, 1977;  
Readopted Eff. September 27, 1977;  
Amended Eff. January 15, 1980; October 1, 1978;  
Repealed Eff. January 1, 1981.*

**SECTION .0600 - SPECIFICATIONS FOR BASIC TRAINING COURSE**

<b>12 NCAC 05 .0601</b>	<b>LAW ENFORCEMENT OFFICERS</b>
<b>12 NCAC 05 .0602</b>	<b>CORRECTIONAL OFFICERS</b>
<b>12 NCAC 05 .0603</b>	<b>YOUTH CORRECTIONAL OFFICERS</b>
<b>12 NCAC 05 .0604</b>	<b>PROBATION/PAROLE OFFICERS: REGULAR AND INTAKE OFFICERS</b>
<b>12 NCAC 05 .0605</b>	<b>GUIDELINES: ACCREDITATION: PRESENTATION: TRAINING PROGRAM</b>
<b>12 NCAC 05 .0606</b>	<b>COUNCIL FORMS F-10: F-10A: F-10B</b>
<b>12 NCAC 05 .0607</b>	<b>CERTIFICATION OF INSTRUCTORS</b>

*History Note: Authority G.S. 17A-6; 17A-7(b); 17A-7(c);  
Eff. February 1, 1976;  
Amended Eff. February 15, 1977;  
Readopted Eff. September 27, 1977;  
Amended Eff. January 15, 1980; October 1, 1978; May 5, 1978;  
Repealed Eff. January 1, 1981.*

<b>12 NCAC 05 .0608</b>	<b>COUNCIL FORM F-12</b>
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*History Note: Authority G.S. 17A-6; 17A-7(c);  
Eff. February 1, 1976;  
Repealed Eff. February 15, 1977.*

**SECTION .0700 - CRIMINAL JUSTICE OFFICER'S PROFESSIONAL CERTIFICATE PROGRAM**

<b>12 NCAC 05 .0701</b>	<b>PURPOSE</b>
<b>12 NCAC 05 .0702</b>	<b>GENERAL PROVISIONS</b>
<b>12 NCAC 05 .0703</b>	<b>BASIC CRIMINAL JUSTICE CERTIFICATE</b>
<b>12 NCAC 05 .0704</b>	<b>INTERMEDIATE CRIMINAL JUSTICE CERTIFICATE</b>
<b>12 NCAC 05 .0705</b>	<b>ADVANCED CRIMINAL JUSTICE CERTIFICATE</b>
<b>12 NCAC 05 .0706</b>	<b>METHOD OF APPLICATION</b>
<b>12 NCAC 05 .0707</b>	<b>COUNCIL FORM F-6</b>

*History Note: Authority G.S. 17A-6;  
Eff. February 1, 1976;*

*Amended Eff. May 1, 1977;*  
*Readopted Eff. September 27, 1977;*  
*Repealed Eff. January 1, 1981.*

#### **SECTION .0800 - FORMS**

**12 NCAC 05 .0801 ACQUISITION OF FORMS**  
**12 NCAC 05 .0802 REQUIRED COUNCIL FORMS**  
**12 NCAC 05 .0803 COUNCIL FORM F-14**  
**12 NCAC 05 .0804 COUNCIL FORM F-13**

*History Note: Authority G.S. 17A-6;*  
*Eff. February 1, 1976;*  
*Readopted Eff. September 27, 1977;*  
*Repealed Eff. January 1, 1981.*

#### **SECTION .0900 - VIOLATIONS OF REGULATIONS**

**12 NCAC 05 .0901 PURPOSE**  
**12 NCAC 05 .0902 AGENCY**  
**12 NCAC 05 .0903 INDIVIDUAL**

*History Note: Authority G.S. 17A-6;*  
*Eff. February 1, 1976;*  
*Readopted Eff. September 27, 1977;*  
*Repealed Eff. January 1, 1981.*

#### **SECTION .1000 - RULEMAKING AND HEARING PROCEDURES**

**12 NCAC 05 .1001 PETITION FOR RULEMAKING HEARINGS**  
**12 NCAC 05 .1002 CONTENTS OF PETITION**  
**12 NCAC 05 .1003 DISPOSITION OF PETITIONS**

*History Note: Authority G.S. 17A-6; 150A-16;*  
*Eff. February 1, 1976;*  
*Readopted Eff. September 27, 1977;*  
*Repealed Eff. January 1, 1981.*

#### **SECTION .1100 - NOTICE OF RULEMAKING HEARINGS**

**12 NCAC 05 .1101 TIMING OF NOTICE**  
**12 NCAC 05 .1102 NOTICE MAILING LIST**  
**12 NCAC 05 .1103 PUBLICATION OF NOTICE**  
**12 NCAC 05 .1104 ADDITIONAL INFORMATION**

*History Note: Authority G.S. 17A-6; 150A-12; 150A-12(a)(2); 150A-12(b);*  
*Eff. February 1, 1976;*  
*Readopted Eff. September 27, 1977;*  
*Repealed Eff. January 1, 1981.*

#### **SECTION .1200 - RULEMAKING HEARINGS**

<b>12 NCAC 05 .1201</b>	<b>COUNCIL HEARINGS</b>
<b>12 NCAC 05 .1202</b>	<b>REQUEST TO PARTICIPATE</b>
<b>12 NCAC 05 .1203</b>	<b>CONTENTS OF REQUEST: GENERAL TIME LIMITATIONS</b>
<b>12 NCAC 05 .1204</b>	<b>RECEIPT OF REQUEST: SPECIFIC TIME LIMITS</b>
<b>12 NCAC 05 .1205</b>	<b>WRITTEN SUBMISSIONS</b>
<b>12 NCAC 05 .1206</b>	<b>PRESIDING OFFICER: POWERS AND DUTIES</b>
<b>12 NCAC 05 .1207</b>	<b>STATEMENT OF REASONS FOR DECISION</b>
<b>12 NCAC 05 .1208</b>	<b>RECORD OF PROCEEDINGS</b>

*History Note:* Authority G.S. 17A-5(c); 17A-6; 150A-11; 150A-11(2);  
150A-12(d); 150A-12(e);  
Eff. February 1, 1976;  
Readopted Eff. September 27, 1977;  
Repealed Eff. January 1, 1981.

#### **SECTION .1300 - DECLARATORY RULINGS**

<b>12 NCAC 05 .1301</b>	<b>SUBJECTS OF DECLARATORY RULINGS</b>
<b>12 NCAC 05 .1302</b>	<b>SUBMISSION OF REQUEST FOR RULING</b>
<b>12 NCAC 05 .1303</b>	<b>DISPOSITION OF REQUESTS</b>
<b>12 NCAC 05 .1304</b>	<b>RECORD OF DECISION</b>
<b>12 NCAC 05 .1305</b>	<b>DEFINITION</b>

*History Note:* Authority G.S. 17A-6; 150A-11; 150A-17;  
Eff. February 1, 1976;  
Readopted Eff. September 27, 1977;  
Repealed Eff. January 1, 1981.

#### **SECTION .1400 - ADMINISTRATIVE HEARING PROCEDURES**

<b>12 NCAC 05 .1401</b>	<b>RIGHT TO HEARING</b>
<b>12 NCAC 05 .1402</b>	<b>REQUEST FOR HEARING</b>
<b>12 NCAC 05 .1403</b>	<b>GRANTING OR DENYING HEARING REQUESTS</b>
<b>12 NCAC 05 .1404</b>	<b>NOTICE: INTERVENTION</b>
<b>12 NCAC 05 .1405</b>	<b>WHO SHALL HEAR CONTESTED CASES</b>
<b>12 NCAC 05 .1406</b>	<b>PETITION FOR INTERVENTION</b>
<b>12 NCAC 05 .1407</b>	<b>TYPES OF INTERVENTION</b>
<b>12 NCAC 05 .1408</b>	<b>DISQUALIFICATION OF HEARING OFFICERS</b>

*History Note:* Authority G.S. 1A-1, Rule 24; 17A-6; 150A-2(2); 150A-11; 150A-23;  
150A-23(d); 150A-32;  
Eff. February 1, 1976;  
Readopted Eff. September 27, 1977;  
Repealed Eff. January 1, 1981.

#### **SECTION .1500 - ADMINISTRATIVE HEARINGS: DECISIONS: RELATED RIGHTS AND PROCEDURES**

<b>12 NCAC 05 .1501</b>	<b>FAILURE TO APPEAR</b>
<b>12 NCAC 05 .1502</b>	<b>SIMPLIFICATION OF ISSUES</b>

