

12 NCAC 09C .0304 GENERAL CERTIFICATION

(a) The Commission shall grant an officer general certification if evidence is received by the Standards Division that an officer has successfully completed the training requirements of 12 NCAC 09B .0400 within the officer's probationary period and that the officer has met all other requirements for general certification. General certification shall not be granted if the officer's department head submits a written request to the Director of the Standards Division to withhold general certification from the officer.

(b) The Commission shall honor a valid general certification issued to a deputy sheriff by the North Carolina Sheriffs' Education and Training Standards Commission for the purpose of lateral transfer, as provided for in 12 NCAC 09C .0306, to a law enforcement agency under the jurisdiction of G.S. 17C if evidence is received by the Standards Division that the officer has successfully completed the training requirements as mandated by the Sheriffs' Commission within the officer's probationary period and the officer has successfully completed the training requirements of 12 NCAC 09B .0205 in addition to complying with all other commission requirements for general certification.

(c) For local confinement personnel in service prior to June 1, 1986, the Commission shall grant General Certification to all local confinement personnel officially appointed and in local confinement facility service or county confinement facility service with any political subdivision of the state on May 31, 1986. Such personnel shall be exempt from the provisions of Rules .0301, .0302 and .0303 of this Section and from basic training requirements applicable to those certified as probationary officers. Any personnel wishing to take advantage of the privilege granted by this Paragraph shall apply on or before August 31, 1986 and all General Certification granted after that date shall be as prescribed in Subchapter 09C, Section .0300.

(d) For local confinement personnel of juvenile detention homes, either state or local, in service prior to January 1, 1990, the Commission shall grant General Certification to all local confinement personnel officially appointed and in juvenile detention homes with any political subdivision of the state on December 31, 1989. Such personnel shall be exempt from the provisions of Rules .0301, .0302 and .0303 of this Section and from basic training requirements applicable to those certified as probationary officers. Any personnel wishing to take advantage of the privilege granted by this Paragraph shall apply on or before March 31, 1990 and all General Certifications granted after that date shall be as prescribed in Subchapter 09C, Section .0300.

(e) General certification is continuous from the date of issuance, so long as:

- (1) The certified officer remains continuously employed or appointed as a criminal justice officer in good standing with an agency and the certification has not been terminated for cause; or
- (2) The certified officer, having separated in good standing from a criminal justice agency, is re-appointed or re-employed as a criminal justice officer within one year, and the certification has not been terminated for cause; and
- (3) The certified officer meets the in-service training requirements as prescribed in 12 NCAC 09E during each full calendar year of certification.

*History Note: Authority G.S. 17C-2; 17C-6; 17C-10;
Eff. January 1, 1981;
Amended Eff. August 1, 1998; March 1, 1990; July 1, 1989; June 1, 1986; April 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.*