

## **12 NCAC 09E .0104 INSTRUCTORS: ANNUAL IN-SERVICE TRAINING**

The following requirements and responsibilities are hereby established for instructors who conduct the law enforcement officers' annual in-service training program:

- (1) The instructor shall hold Instructor Certification issued by the Commission as outlined in 12 NCAC 09B .0302, 09B .0304, and 09B .0306, except for instructors:
  - (A) delivering CPR certifications that include cognitive and skills testing;
  - (B) delivering use of equipment training conducted by a manufacturer, manufacturer's representative or a service provider and documented through a certificate of completion; or
  - (C) delivering Incident Command System training for NIMS (National Incident Management System) compliance who are certified through FEMA (Federal Emergency Management Agency) as Incident Command Instructors.

In addition, each instructor certified by the Commission to teach in a Commission-accredited basic training, Speed Measuring Instrument Operator or Instructor training, Instructor or Specialized Instructor training, or Commission-recognized in-service training course shall remain competent in his or her specific or specialty areas. Such competence includes remaining current in the instructor's area of expertise, which may be demonstrated by completing all instructor updates issued by the Commission.

- (2) Instructors who teach a required in-service training topic, other than a topic taught pursuant to Paragraph (1) of this Rule, or a Firearms Training and Qualification course pursuant to Rule .0105(a)(1) of this Section, shall achieve a passing grade on a topic specific test developed by the North Carolina Justice Academy or by the agency delivering the training. Instructors who teach a required in-service training topic online shall also complete the in-service training for the topic he or she will be teaching. Instructors who teach an in-service training topic in a traditional classroom format will receive credit toward their own in-service training requirements, provided that they pass all required tests and have their instruction documented by the Department Head or In-Service Training Coordinator once completed.
- (3) Instructors who, no more than 60 days prior to the upcoming calendar year, complete mandated in-service topics in their entirety pursuant to 12 NCAC 09E .0105 as presented by the North Carolina Justice Academy as part of the Instructor Training Update program shall have satisfied the requirements of 12 NCAC 09E .0105 for the upcoming calendar year.
- (4) The instructor shall deliver the training consistent with the specifications established in Rules 09E .0105 and .0106.
- (5) The instructor shall report the successful or unsuccessful completion of training for each officer to the Department Head.
- (6) When the officer fails to qualify with a weapon, the instructor shall inform the officer that the officer did not qualify and the instructor shall deliver a Commission form F-9A (Firearms Qualification and Record) to the officer that shall be signed by the officer. This form shall instruct the officer not to use the weapon and shall require the officer to notify the Department Head or designated representative within 24 hours of the failure to qualify. The instructor shall personally deliver this form or send the form by certified mail to the Department head or designated representative within 72 hours of the failure to qualify.

All Commission forms are available for download on the Criminal Justice Standards Division website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

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