

**14B NCAC 16 .1709 PROBATIONARY EMPLOYEES**

- (a) A digital forensic examiner licensee may employ a potential trainee as a probationary employee for 60 consecutive calendar days. The Director, upon written request of the licensee, shall extend the probationary period by 30 additional days.
- (b) A digital forensic examiner licensee may supervise an intern as a probationary employee concurrent with the intern's educational institution's schedule.
- (c) A digital forensic examiner licensee may employ an apprentice participating in a North Carolina registered apprentice program as set forth in G.S. 93B-8.6 as a probationary employee for the period prescribed in the federal guidelines as set forth therein.
- (d) To qualify as an "intern" the potential probationary employee must be enrolled as a student in a high school, community college, college, or university, be in good standing with the educational institution, and the internship must be for credit towards a degree, diploma, or certificate issued by the educational institution.
- (e) Upon completion of the probationary period and the desire of the licensee to supervise the probationary employee as a digital forensic examiner trainee, the potential trainee shall apply pursuant to Section .0200 of this Chapter.
- (f) For hours gained during probationary employment, an internship, or apprenticeship to be considered for licensure the probationary employee shall comply with Rule .1702 of this Section.
- (g) Before a probationary employee engages in any activity defined as digital forensic examination or has access to any confidential client information, the employee shall complete 40 hours of one-on-one supervision by the supervising licensee, and the licensee shall conduct a criminal record check on the employee.
- (h) Before engaging the probationary employee, intern, or apprentice the licensee shall submit to the Director in writing the name, address, last four digits of social security number, confirmation that the results of the criminal history record check contain no prohibitions as set forth in G.S. 74C-8(d)(2), and anticipated start date and ending date of employment of the probationary employee. The Director shall confirm receipt within three business days of receipt.
- (i) Probationary employment which does not comply with this Rule is a violation of Rule .0204(c)(2) of this Chapter.
- (j) Any probationary employee, intern, or apprentice shall be a minimum of 18 years of age.
- (k) The use of the terms "employee" and "employment" in this Rule does not require or mandate compensation for any probationary employment, internship, or apprenticeship.

*History Note: Authority G.S. 74C-5(2); 93B-8.6;  
Eff. September 1, 2024.*