

12 NCAC 10B .0406 LATERAL TRANSFERS AND REINSTATEMENTS

(a) The general certification, pursuant to Rule .0404 of this Section, or grandfather certification, as defined in G.S. 17E-7(a), of a detention officer, as defined in Rule .0103(6) of this Subchapter, or a telecommunicator, as defined in Rule .0103(20) of this Subchapter, is eligible for lateral transfer to an agency and be certified upon compliance with Paragraphs (b) and (c) of this Rule.

(b) The employing agency shall verify the applicant's certification status with the Division prior to submission of the application for certification as a lateral transfer.

(c) In order for a detention officer or telecommunicator to be certified pursuant to Paragraph (a) of this Rule, the employing agency shall submit to the Division, along with the Report of Appointment (F-4 or F-4T), the documents required in Rule .0408 of this Section.

(d) A justice officer whose certification was suspended pursuant to Rule .0204(b)(1) of this Subchapter is eligible to have the certification reinstated provided that:

- (1) the period of suspension was six months or less;
- (2) the employing agency submits to the Division, along with a Report of Appointment, the documents required in Rule .0408 of this Subchapter except Subparagraphs (1), (2), (3), (4), and (5) of Paragraph (a); and
- (3) the officer has successfully completed the basic training requirements as prescribed in Sections .0500, .0600, or .1300 of this Subchapter.

(e) A justice officer for whom a Report of Separation (Form F-5) has been submitted to the Division, and who is re-appointed in the same agency, is eligible for reinstatement provided that:

- (1) the period of separation has been six-months or less; and
- (2) the employing agency submits to the Division, along with a Report of Appointment, the documents required in Rule .0408 of this Subchapter except Subparagraphs (1), (2), (3), (4), and (5) of Paragraph (a).

*History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. January 1, 1994; January 1, 1993; January 1, 1992; July 1, 1990;
Temporary Amendment Eff. March 1, 1998;
Amended Eff. January 1, 2009; January 1, 2005; August 1, 2002; August 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;
Amended Eff. July 1, 2025; December 1, 2023.*