

**12 NCAC 10B .0911 SUSPENSION: REVOCATION: DENIAL OF DETENTION OFFICER
INSTRUCTOR CERTIFICATION**

(a) The Division may notify an applicant for instructor certification or a certified instructor that a deficiency appears to exist and attempt, in an advisory capacity, to assist the person in correcting the deficiency.

(b) When any person certified as an instructor by the Commission is found to have knowingly and willfully violated any provision or requirement of the rules of this Subchapter, the Commission may take action to correct the violation and to ensure that the violation does not recur, including:

- (1) issuing an oral warning and request for compliance;
- (2) issuing a written warning and request for compliance;
- (3) issuing an official written reprimand;
- (4) summarily suspending the individual's certification for a specified period of time or until acceptable corrective action is taken by the individual if the Commission finds that the public health, safety, or welfare requires immediate action; or
- (5) revoking the individual's certification.

(c) The Commission may deny, suspend, or revoke an instructor's certification when the Commission finds that the person:

- (1) has failed to meet and maintain any of the requirements for qualification;
- (2) has failed to remain knowledgeable in the person's areas of expertise by failing to attend and successfully complete any instructor training updates pursuant to 12 NCAC 10B .0903(c);
- (3) has failed to deliver training in a manner consistent with the instructor lesson plans;
- (4) has failed to follow specific guidelines outlined in the "Detention Officer Certification Course Management Guide" which is hereby incorporated by reference and shall automatically include any later amendments and editions of the referenced materials. This publication is authored by and may be obtained from the North Carolina Justice Academy, Post Office Drawer 99, Salemburg, North Carolina 28385 at no cost at the time of adoption of this Rule;
- (5) has demonstrated unprofessional personal conduct as defined in 12 NCAC 10B .0103(21) in the delivery of commission-mandated training;
- (6) has otherwise demonstrated instructional incompetence;
- (7) has knowingly and willfully obtained, or attempted to falsify data, records, scores, grades, or any other student course materials or obtain or maintain instructor certification by deceit, fraud, or misrepresentation; or
- (8) has had any type of certification issued from the Commission, from the North Carolina Criminal Justice Education and Training Standards Commission, or from any commission, agency, or board established to certify pursuant to said commission, agency or boards' standards, which was revoked, suspended or denied for cause.

*History Note: Authority G.S. 17E-4;
Eff. January 1, 1993;
Amended Eff. February 1, 2009; January 1, 2005; August 1, 1998; January 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*