

**MINUTES**  
**North Carolina Criminal Justice**  
**Education and Training Standards Commission**

**Planning & Standards Committee**  
**August 20, 2015**

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at Wake Tech Public Safety Center, Raleigh on August 20, 2015 at 10:30 am.

**Committee Members Present**

Commissioner Scott Cunningham, Chairman  
Commissioner Charles Johnson  
Commissioner Jeff Welty (joined at 10:55am)  
Commissioner Trey Robison  
Commissioner Bill Grey  
Commissioner Charles Walston  
Commissioner James Fisher-Davis

**Guests Present**

Nathan Mizell, Nash Community College, Commissioner  
Tracy McPherson, NC Community Colleges System, Commissioner  
Julia Lohman, Sheriffs' Standards Division  
Marianne Bond, Durham Police Department

**Staff Present**

Steven Combs, CJ Standards Division  
Trevor Allen, CJ Standards Division  
Merrily Cheek, CJ Standards Division  
Dawn Suffel, CJ Standards Division  
Sharon Witherspoon, CJ Standards Division  
Lauren Earnhardt, Attorney General's Office, Commission Legal Counsel

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**Call to Order**

Chairman Scott Cunningham called the committee meeting to order and declared a quorum.

**Rule-Making Hearing**

Under separate cover.

**Approval of the May 20, 2015 Meeting Minutes**

**Motion** to approve was made by Commissioner Charles Walston and **seconded** by Commissioner Charles Johnson. **Motion carried** unanimously.

**DPS DACJJ-Removing Job Classifications from Interpretive Rule**

Chairman Scott Cunningham welcomed Martin Pharr, Director of DPS Juvenile Treatment and Intervention Services. Director Pharr presented before the committee a petition to amend the interpretive rule concerning definition of Criminal Justice Officer(s) and requesting that officer certification be removed from classifications of educators in their Juvenile Justice Education Services. Positions specifically affected are: School Principal, School Assistant Principal, School Educator(s) I, II and III, School Vocational Educator, School Educator – Substitute, Education/Development Aide(s) I and II.

*Planning and Standards Committee Meeting*

**Motion** to accept this change and forward it to the full Commission was made by Commissioner Charles Walston and **seconded** by Commissioner Jeff Welty. **Motion carried** unanimously.

**Forms Subcommittee Update and Review-Medical Guidelines and Forms**

Staff member Merrily Cheek brought before the committee discussion points from the Forms Subcommittee meeting that was held in June. Ms. Cheek shared a recommendation from legal counsel that it may be time to fully review medical standards as it relates to forms and the application process. The committee agreed that, because it has been a number of years, the proposal for a review of medical guidelines in the near future is reasonable. Ms. Cheek further briefed the committee concerning suggested changes to Forms F-2(JJ), F-2(LE), F-5A(Adult Corrections), F-5A(LE), F-8(JJ) and F-8(LE). Recommended changes will improve inconsistent or redundant language and correct language concerning high school equivalency. The committee also agreed to amend language on the F-2(DOC) to be consistent with other DOC form changes.

Question was raised as to whether the Commission can or even benefit from asking for juvenile adjudications on our forms. Counsel will research the matter.

**Motion** to recommend to the Commission a full review of medical standards was made by Commissioner Charles Walston and **seconded** by Commissioner Bill Grey. **Motion carried** unanimously.

**Motion** to accept changes to forms was made by Commissioner Charles Walston and **seconded** by Commissioner Charles Johnson. **Motion carried** unanimously.

**Sheriffs' Standards Transfers**

CJ Standards Director Steven Combs requested rule-making authority to amend 12 NCAC 09B .0403 concerning evaluation of training waivers specifically to address certification transfers from Sheriffs' Standards to Criminal Justice Standards and completion of in-service training requirements. Director Combs suggested making the change with an effective date of 1/1/2017.

**Motion** to request rule-making authority from the full commission was made by Commissioner Charles Johnson and **seconded** by Commissioner James Fisher-Davis. **Motion carried** unanimously.

**8<sup>th</sup> Edition Commission System Plan**

Staff member Merrily Cheek brought before the committee a current draft of the next System Plan. Ms. Cheek explained that the length of plan decreased from 5 years to 2 and goals were reduced to 4. Staff will send the draft to the full commission and continue to accept comments until September 1st with the intention of providing a final version for approval at the November meeting.

**Santions-Concealed Carry Handgun Courses**

Deputy Director Trevor Allen requested rule-making authority to revise 12 NCAC 09F .0106 that governs Commission permissions over Concealed Carry Handgun courses and its certified instructors. The suggested changes to language will make it possible for the Commission to conduct audits of instructors and classes at its discretion.

**Motion** to request rule-making authority from the full commission was made by Commissioner Jeff Welty and **seconded** by Commissioner Bill Grey. **Motion carried** unanimously.

**Date of Next Meeting**

The next scheduled meeting of the Planning & Standards Committee will be November 18, 2015 at Wake Tech Public Safety Center, Raleigh.

**Motion to Adjourn**

**Motion** to adjourn was made by Commissioner Charles Johnson and **seconded** by Commissioner Bill Grey. **Motion carried** unanimously.

**RULE-MAKING HEARING  
RULES REVISIONS**

**North Carolina Criminal Justice  
Education and Training Standards Commission**

**August 20, 2015**

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**Call to Order**

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at the Wake Technical Community College, Public Safety Center on August 20, 2015. This committee presided over the public Rule-Making Hearing with Commission Chairman Scott Cunningham calling the hearing to order at 10:30 am. Mr. Cunningham introduced Committee members and stated the purpose of the Rule-Making Hearing is to receive remarks from any persons interested in commenting on the proposed amendments to the Commission's Administrative Rules.

**Committee Members Present**

Commissioner Scott Cunningham, Chairman  
Commission Charles Johnson  
Commissioner Jeff Welty (joined at 10:55am)  
Commissioner Trey Robison  
Commissioner Bill Grey  
Commissioner Charles Walston  
Commissioner James Fisher-Davis

**Guests Present**

Nathan Mizell, Nash Community College, Commissioner  
Tracy McPherson, NC Community Colleges System, Commissioner  
Julia Lohman, Sheriffs' Standards Division  
Marianne Bond, Durham Police Department

**Staff Present**

Steven Combs, CJ Standards Division  
Trevor Allen, CJ Standards Division  
Merrily Cheek, CJ Standards Division  
Dawn Suffel, CJ Standards Division  
Sharon Witherspoon, CJ Standards Division  
Lauren Earnhardt, Attorney General's Office, Commission Legal Counsel

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Chairman Cunningham advised that proposed amendments would be read and, if needed, the amendments would be explained by a staff member. He stated that after the rules are presented and explained, anyone wishing to comment would be allowed to do so.

Chairman Cunningham read into the record the proposed rule amendments as follows:

- 12 NCAC 09B .0106 DOCUMENTATION OF EDUCATIONAL REQUIREMENTS
- 12 NCAC 09B .0111 MINIMUM STANDARDS FOR LAW ENFORCEMENT OFFICERS
- 12 NCAC 09B .0114 MINIMUM STANDARDS FOR LOCAL CONFINEMENT PERSONNEL
- 12 NCAC 09B .0117 MINIMUM STANDARDS FOR JUVENILE JUSTICE OFFICERS
- 12 NCAC 09B .0203 ADMISSION OF TRAINEES
- 12 NCAC 09B .0302 GENERAL INSTRUCTOR CERTIFICATION
- 12 NCAC 09B .0501 CERTIFICATION OF SCHOOL DIRECTORS
- 12 NCAC 09G .0204 EDUCATION
- 12 NCAC 09G .0308 GENERAL INSTRUCTOR CERTIFICATION

Chairman Cunningham reviewed proposed amendment to the above listed rules to allow high school, college or university degree to satisfy educational requirements for the purpose of certification and admission of trainees.

**Motion** to adopt changes was made by Commissioner Charles Walston and **seconded** by Commissioner Charles Johnson. **Motion carried** unanimously.

**12 NCAC 09F .0104 INSTRUCTOR QUALIFICATIONS**

Chairman Cunningham reviewed proposed amendment to the rule that specifies additional training for Concealed Carry Handgun instructors who have been inactive for a period of 2 years or more.

**Motion** to adopt changes was made by Commissioner Charles Johnson; **seconded** by Commissioner Charles Walston. **Motion carried** unanimously.

**12 NCAC 09B .0701 MILITARY TRANSFEREES**

Chairman Cunningham proposed temporary rule in order to comply with G.S. 17C-10.1. The rule specifies the process for military trained individuals to obtain law enforcement certification through the Commission. Trevor Allen shared comments received from Senator Whitmire concerning language in the proposed rule and possible conflict with the law. The committee agreed to adjust the language in the rule to make consistent with the law.

**Motion** to adopt changes was made by Commissioner Jeff Welty; **seconded** by Commissioner James Fisher-Davis. **Motion carried** unanimously.

Chairman Cunningham declared an end of the rule-making hearing and asked that the minutes reflect no further written comments or objections were received.