

**12 NCAC 09C .0309 LATERAL TRANSFER OF LOCAL CONFINEMENT PERSONNEL**

(a) An officer, supervisor or administrator with general certification, pursuant to 12 NCAC 09C .0304, may transfer from one local confinement facility to another local confinement facility, or may transfer from one county confinement facility to another county confinement facility with less than a 12-month break in service.

(b) Prior to employing the individual, the employing agency shall:

- (1) verify the certification, pursuant to 12 NCAC 09C .0304, of the individual with the Standards Division;
- (2) submit an up-to-date fingerprint check, pursuant to 12 NCAC 09B .0103;
- (3) pursuant to 12 NCAC 09C .0302, advise the individual that he will be serving under a probationary appointment with the agency for one year;
- (4) notify the Commission, by submitting a Report of Appointment, Form F-5A (LCP), that the individual is being employed and stating the date on which employment will commence. The Report of Appointment, Form F-5A (LCP) shall contain the following:
  - (A) Employing agency;
  - (B) Applicant's name, address, date of birth, and Social Security Number;
  - (C) Drug Screen result, pursuant to 12 NCAC 09C .0310; and
  - (D) Fingerprint Requirement, pursuant to 12 NCAC 09B .0103.

(b) Prior to transfer of certification, local confinement personnel shall:

- (1) complete a Medical History Statement Form F-1 within one year prior to the transfer to the employing agency. The Medical History Statement Form F-1 shall contain the following information regarding the local confinement person being transferred;
  - (A) name, date of birth, address, telephone number;
  - (B) current medications, allergies, and past medical history;
  - (C) occupational history; and
  - (D) name and signature of a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board,
- (2) submit to examination by a physician who holds a current license to practice medicine in the United States pursuant to 12 NCAC 09B .0104 within one year prior to the transfer to the employing agency;
- (3) submit results of the physical examination to the employing agency for placement in the individual's permanent personnel file; and
- (4) produce a negative result on a drug screen administered according to the specifications outlined in 12 NCAC 09B .0101(5).

(c) Certified local confinement personnel who transfer to another agency within 12 months of leaving their previous position are exempt from meeting the educational or basic training requirements of this Rule. This exemption applies only if they were not initially required to meet these requirements when they were first employed by the agency from which they were transferring.

(d) No certification will be transferred if the holder has been convicted since initial certification of any offense for which revocation or suspension of certification is authorized.

*History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*

*Eff. June 1, 1986;*

*Amended Eff. August 1, 1998; July 1, 1990; March 1, 1990;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;*

*Amended Eff. November 1, 2024.*