

NORTH CAROLINA REGISTER

VOLUME 23 • ISSUE 04 • Pages 285 - 377

August 15, 2008

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PUBLISHED BY
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Comment period ends: October 15, 2008

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-733-2721.

Fiscal Impact:

- State
Local
Substantive (>=\$3,000,000)
None

SECTION .1500 - ADMISSION REQUIREMENTS: EXAMINATIONS

21 NCAC 46 .1507 PARTIAL EXAMINATION

Candidates who are found to be eligible for admission to the examinations in all respects except that of practical experience or age or both, may be admitted to all divisions of the examinations except the examination in practical pharmacy. Such a candidate may later take the practical examination when the experience requirement has been satisfied.

Authority G.S. 90-85.6; 90-85.15; 90-85.16.

TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina State Board of Community Colleges intends to adopt the rule cited as 23 NCAC 02C .0110.

Proposed Effective Date: December 1, 2008

Instructions on How to Demand a Public Hearing: (must be requested in writing within 15 days of notice): To demand a public hearing please send the written demand to Q. Shante Martin, NC Community College System, 200 West Jones Street, MSC 5001, Raleigh, NC 27699-5001 or by emailing the demand to martins@nccommunitycolleges.edu. Demands must be received within 15 days of the publication of the proposed rule in the North Carolina Register.

Reason for Proposed Action: The State Board wants to establish guidelines surrounding Intercollegiate Athletics within the Community College System.

Procedure by which a person can object to the agency on a proposed rule: Written objections shall be addressed to President, NC Community College System Office, 5001 Mail Service Center, Raleigh, NC 27699-5001 within the comment period and must be postmarked by 11:59 p.m. on the last day of the comment period.

Comments may be submitted to: Q. Shante Martin, 200 West Jones Street, MSC 5001, Raleigh, NC 27699-5001, phone (919) 807-6961, email martins@nccommunitycolleges.edu

Comment period ends: October 14, 2008

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-733-2721.

Fiscal Impact:

- State
Local
Substantive (>=\$3,000,000)
None

CHAPTER 02 - COMMUNITY COLLEGES

SUBCHAPTER 02C - COLLEGES: ORGANIZATION AND OPERATIONS

SECTION .0100 - TRUSTEES AND COLLEGES

23 NCAC 02C .0110 INTERCOLLEGIATE ATHLETICS

- (a) No college shall operate an intercollegiate athletics program unless the college maintains a membership in good-standing with the National Junior College Athletic Association.
(b) A college shall not participate in intercollegiate athletics unless any foundation associated with the college pursuant to G.S. 115D-20(9) adopts a policy requiring that the total amount of all athletic scholarships awarded to an individual student-athlete does not exceed the participating student's expenses for tuition, college fees, and course-related books and materials required for the courses in which that student is enrolled.

PROPOSED RULES

(c) A college shall not participate in intercollegiate athletics unless the total amount of all athletic scholarships the college awards plus the total amount of all athletic scholarships awarded by any foundation associated with the college pursuant to G.S. 115D-20(9) does not exceed the participating student's expenses for tuition, college fees, and course-related books and materials required for the courses in which that student is enrolled.

(d) State funds shall not be used to create, support, maintain, or operate an intercollegiate athletics program.

(e) Colleges shall neither provide nor offer room and board, as part of an intercollegiate athletic scholarship, to any student

participating in an intercollegiate athletics sport, except for temporary room and board associated with specific athletic events.

(f) For the purposes of this Rule, tuition waivers granted by statute for students participating in any intercollegiate athletics sport shall be deemed to be a scholarship for tuition.

Authority G.S. 115D-5.