



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

James C. Williamson, Ph.D.

President

25 October 2016

IMPORTANT INFORMATION

MEMORANDUM

- TO:** Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
Community College Chief Academic Officers, Chief Admissions Officers, American Disabilities Act, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Disability Service Representatives, Distance Learning, Chief Financial Officers, Continuing Education Officers, Financial Aid Officers, Human Resources Development, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties
- FROM:** Q. Shanté Martin, *NCCCS General Counsel*
- RE:** **Proposed Amendment of 3B SBCCC Subchapter 200 – “Public Input”**

The State Board of Community Colleges has initiated the rulemaking process to amend **3B SBCCC Subchapter 200 - “Public Input.”**

The State Board of Community Colleges proposes to amend 3B SBCCC Subchapter 200 – “Public Input” to provide a process for a person, organization, or entity to request notification of a proposed rule adoption, amendment, or request via electronic mail.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Please post a copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college's local process for submitting comments on a proposed rule. **Written comments on the rules must be received by no later than 5:00 p.m. on November 24, 2016.** Any member of the public has the right to request a hearing on the proposed rules. **Requests for a hearing must be received by no later than 5:00 p.m. on 9 November 2016.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté

Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

CC16-041
E-mail Copy

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 21 October 2016

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 3B SBCCC Subchapter 200 "Public Input"
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
	X	

Rationale for proposed adoption, amendment or repeal:	The purpose for the amendment is to provide a process for a person, organization, or entity to request notification of a proposed rule adoption, amendment, or request via electronic mail.
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Proposed Effective Date of Rule	February 1, 2017
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1 **State Board of Community Colleges Code**
2 **TITLE 3 – RULEMAKING PROCESS AND CODIFICATION SYSTEM**

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4 **CHAPTER B. RULEMAKING PROCESS**

5
6 **SUBCHAPTER 200. PUBLIC INPUT**

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8 **3B SBCCC 200.1 Publication of Proposed Rule**

- 9 (a) The text of the proposed rule adoption, amendment, or repeal (Notice of Proposed
10 Rule) shall be published conspicuously on the NCCCS website within two business
11 days of the SBCC voting to initiate the rulemaking process.
- 12 (b) The text of the proposed rule adoption, amendment, or repeal shall comply with 3C
13 SBCCC 200.1.
- 14 (c) The Notice of Proposed Rule shall have an explanation detailing the basis for the
15 proposed adoption, amendment, or repeal.

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17 *History Note: Authority G.S. 115D-5;*

18 *Eff. [June 1, 2014.](#)*

19
20 **3B SBCCC 200.2 Written Notification of Proposed Rules**

21 Any person, organization, or entity may request written notification of a proposed rule
22 adoption, amendment, or repeal by submitting a request via electronic mail to
23 sbcccodenotifications@ncccommunitycolleges.edu. NCCCS will provide copies of a
24 proposed rule adoption, amendment, or repeal to requestors via electronic mail.

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26 *History Note: Authority G.S. 115D-5;*

27 *Eff. [February 1, 2017.](#)*

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29 **~~3B SBCCC 200.2~~200.3 Public Comment Period**

1 (a) The SBCC will accept oral or written comments on the proposed rule for at least 30
2 calendar days after the Notice of Proposed Rule is published on the NCCCS website
3 or until the date of the public hearing, whichever is longer.

4 (b) To ensure receipt, written comments shall be submitted via one of the following
5 methods:

6 (1) Electronic mail to publiccomments@ncccommunitycolleges.edu;

7 (2) Postal mail to NCCCS Rulemaking Coordinator, 5001 Mail Service Center;
8 Raleigh, NC 27699-5001; or

9 (3) Facsimile to (919) 807-7171.

10
11 *History Note: Authority G.S. 115D-5;*

12 *Eff. [June 1, 2014](#).*

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14 **3B SBCCC ~~200.3~~200.4 Public Hearing**

15 (a) If the SBCC receives a written request for a public hearing via one of the methods
16 specified in 3B SBCCC ~~200.2(b)~~200.3(b) within 15 calendar days of publication of the
17 Notice of Proposed Rule on the NCCCS website, the SBCC must hold a public hearing
18 and publish notice of the hearing conspicuously on the NCCCS website. There must
19 be at least 10 calendar days between the notice of hearing and the actual date of the
20 hearing.

21 (b) If the SBCC does not receive a written request for a public hearing, it is within the
22 SBCC's discretion to determine whether it will hold a public hearing.

23
24 *History Note: Authority G.S. 115D-5;*

25 *Eff. [June 1, 2014](#).*