

NUMBERED MEMO CC25-024

TO: Members of the State Board of Community Colleges, Chairs of the Community College Boards of Trustees, Community College Presidents, Chief Academic Officers, Chief Admissions Officers, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Chief Financial Officers, Distance Learning, Financial Aid Officers, Personnel Officers, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

FROM: Jonnell Carpenter, *NCCCS General Counsel*

SUBJECT: Amendment of 2B SBCCC 400.3 – Hearing Process

DATE: April 8, 2025

On April 4, 2025, the State Board of Community Colleges voted to amend the State Board Code, **2B SBCCC 400.3 – Hearing Process**. This amendment will formally implement the changes previously approved by the State Board of Community Colleges during its January 16, 2020 meeting.

The amendment will be effective May 1, 2025. At that time, the amended rule will be published on the North Carolina Community College System's website, [State Board Code - NCCCS \(nccommunitycolleges.edu\)](https://www.nccommunitycolleges.edu). For your convenience, a copy of the rule in its final form is attached to this memorandum.

CC25-024

E-mail Copy
Attachment

State Board of Community Colleges Code
TITLE 2 – PROPRIETARY SCHOOLS



CHAPTER B. DUE PROCESS

SUBCHAPTER 400. REFUSAL TO ISSUE OR RENEW LICENSE

2B SBCCC 400.3 Hearing Process

- (a) The Executive Director of the Office of Proprietary Schools shall provide the proprietary school at least 10 business days' notice of the date, time, and location of the informal hearing.
- (b) The party appearing on behalf of the proprietary school at issue shall be an official of the proprietary school or attorney representing the proprietary school.
- (c) The SBPS Chair or the Chair's designee shall act as the Hearing Officer. The hearing shall be conducted as follows:
 - (1) The proprietary school's representative may present evidence for no more than one (1) hour in support of why the proprietary school's application for a license should be approved. The Hearing Officer has the discretion to extend this time, if circumstances warrant.
 - (2) The school's representative may present evidence in a question and answer format or a narrative format. The school may also offer exhibits into evidence and call witnesses. If witnesses are to be called, the school shall give the Executive Director at least five (5) business days- notice of whom the school intends to call.
 - (3) The Hearing Officer or other SBPS members may ask questions at any time throughout the hearing.
 - (4) The legal rules of evidence will not apply, but the Hearing Officer may direct the presentation to the issues relevant to licensure.
 - (5) A court reporter will transcribe the hearing.

History Note: Authority G.S. 115D-89; 115D-93; 150B-22;

Eff. [February 1, 2020](#).

Amended Eff. [May 1, 2025](#)