

NUMBERED MEMO CC25-026

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 500.4 – SBPS Recommendation and Right to Hearing

DATE: April 8, 2025

On April 4, 2025, the State Board of Community Colleges voted to amend the State Board Code, **2B SBCCC 500.4 – SBPS Recommendation and Right to Hearing**. 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.

CC25-026

E-mail Copy
Attachment

State Board of Community Colleges Code
TITLE 2 – PROPRIETARY SCHOOLS



CHAPTER B. DUE PROCESS

SUBCHAPTER 500. SUSPENSION OR REVOCATION OF LICENSE

2B SBCCC 500.4 SBPS Recommendation and Right to Hearing

- (a) Upon conclusion of the investigation in 2B SBCCC 500.3, the Executive Director of the Office of Proprietary Schools shall submit a written investigation report to the SBPS containing:
- (1) Copy of the written complaint or Documentation of Noncompliance;
 - (2) Specification of the laws or rules the proprietary school allegedly violated and a detailed description of how the proprietary school allegedly violated each of the specified laws or rules;
 - (3) Description of investigation process; and
 - (4) Recommendation of revocation of the proprietary school's license to operate one or more programs with a supporting rationale for revocation rather than for suspension; or
 - (5) Recommendation of suspension of the proprietary school's license to operate one or more programs with a supporting rationale for suspension rather than for revocation; or
 - (6) Recommendation to allow the proprietary school to retain its license to operate one or more programs with a supporting rationale for why revocation or suspension is not warranted.
- (b) The SBPS shall evaluate the written investigation report and after due consideration, recommend the SBCC:
- (1) Suspend the proprietary school's license to operate one or more programs; or
 - (2) Revoke the proprietary school's license to operate one or more programs; or
 - (3) Take no further action.

(c) Within five (5) business days of the SBPS action, the Executive Director shall submit the written investigation report and SBPS recommendation to the chief administrator of the proprietary school at issue with a copy to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Director of Communications. If the SBPS recommended suspension or revocation of the proprietary school's license to offer one or more programs, the Executive Director shall notice the school of its right to request an informal hearing with the SBPS prior to the SBCC's final agency decision to suspend or revoke the school's license. The request for an informal hearing must be in writing and signed by the chief administrator or other authorized agent of the proprietary school, and it must be received by the Executive Director on behalf of the SBPS within 10 business days of receiving the investigation report and SBPS recommendation.

(d) If the Executive Director of the SBPS does not receive the proprietary school's written request for an informal hearing within 10 business days from the date the school received the investigation report and SBPS' recommendation to suspend or revoke the school's license, the Executive Director shall submit the investigation report and SBPS recommendation to the SBCC. The SBCC shall consider the investigation report and recommendation at its next regularly scheduled meeting and vote to:

- (1) Suspend the proprietary school's license to operate one or more programs; or
- (2) Revoke the proprietary school's license to operate one or more programs; or
- (3) Take no further action.

The SBCC action shall become the SBCC's final agency decision to suspend or revoke the proprietary school's license. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the proprietary school of the SBCC's final decision.

(e) If the Executive Director of the SBPS receives a written request for an informal hearing within 10 business days of the proprietary school administrator's receipt of the investigation report and SBPS recommendation to suspend or revoke the school's license, the Executive Director shall submit the written request to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Director of Communications. The SBPS shall calendar the informal hearing within 60 days of the Executive Director's receipt of the hearing request.

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

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

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