2B SBCCC 200.4 Initial Recommendation to the SBCC

(a) Upon the conclusion of the investigation in 2B SBCCC 200.3, the SBPS Executive Director shall submit a written investigation report to the SBPS that includes the following:

(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 that the SBCC:

(1) Initiate suspension of the proprietary school’s license to operate one or more programs; or
(2) Initiate revocation of the proprietary school’s license to operate one or more programs; or
(3) Take no further action.

(c) The SBPS Executive Director shall submit the written investigation report and SBPS recommendation to the SBCC for the SBCC’s consideration at its regularly scheduled meeting that occurs at least 10 business days after the SBPS recommendation with a copy to the following: 1) chief administrator of the proprietary school, 2) the Chair of the SBPS; 3) the NCCCS Executive Vice President for Operations; 4) the NCCCS General Counsel; 5) the Executive Director of the SBCC, and 6) the NCCCS Director of Marketing and Public Affairs.

(a) The SBCC will evaluate the written investigation report and SBPS recommendation, and after due consideration, vote to:

(1) Initiate suspension of the proprietary school’s license to operate one or more programs;
(2) Initiate revocation of the proprietary school’s license to operate one or more programs; or
(3) Take no further action.
Within three business days of the SBCC’s disposition on the investigation report, the NCCCS General Counsel shall notify the proprietary school of the SBCC’s decision to initiate suspension, initiate revocation, or take no action.

*History Note: Authority G.S. 115D-89; 115D-93; Eff. August 1, 2014.*