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
### Notice of Proposed Rulemaking Form

**Date:** 21 October 2016

<table>
<thead>
<tr>
<th>Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed</th>
<th>Amend 3B SBCCC Subchapter 200 “Public Input”</th>
</tr>
</thead>
</table>

Specify whether the SBCC proposes to adopt, amend, or repeal a rule:

<table>
<thead>
<tr>
<th></th>
<th>Adopt (new rule)</th>
<th>Amend (change existing rule)</th>
<th>Repeal (delete entire rule)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>X</td>
<td></td>
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</tbody>
</table>

**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.

| Proposed Effective Date of Rule | February 1, 2017 |
3B SBCCC Subchapter 200 is proposed for amendment as follows:

State Board of Community Colleges Code

TITLE 3 – RULEMAKING PROCESS AND CODIFICATION SYSTEM

CHAPTER B. RULEMAKING PROCESS

SUBCHAPTER 200. PUBLIC INPUT

3B SBCCC 200.1 Publication of Proposed Rule

(a) The text of the proposed rule adoption, amendment, or repeal (Notice of Proposed Rule) shall be published conspicuously on the NCCCS website within two business days of the SBCC voting to initiate the rulemaking process.

(b) The text of the proposed rule adoption, amendment, or repeal shall comply with 3C SBCCC 200.1.

(c) The Notice of Proposed Rule shall have an explanation detailing the basis for the proposed adoption, amendment, or repeal.

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

Eff. June 1, 2014.

3B SBCCC 200.2 Written Notification of Proposed Rules

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

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


3B SBCCC 200.200.3 Public Comment Period
(a) The SBCC will accept oral or written comments on the proposed rule for at least 30
calendar days after the Notice of Proposed Rule is published on the NCCCS website
or until the date of the public hearing, whichever is longer.

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

(1) Electronic mail to publiccomments@nccommunitycolleges.edu;

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

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

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

3B SBCCC 200.3200.4  Public Hearing

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

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

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.