

SUBCHAPTER 100. INITIATING RULEMAKING PROCESS

3B SBCCC 100.1 Petition for Rulemaking

- (a) Any person, organization, or entity requesting the SBCC to adopt, amend, or repeal a rule has the authority to submit a written petition requesting such adoption, amendment, or repeal to the NCCCS President.
- (b) For a petition for rulemaking to be approved for initiation of the rulemaking process, all written petitions for rulemaking shall include the following information from the requesting party:
 - (1) The requesting party's name;
 - (2) The requesting party's e-mail address;
 - (3) The requesting party's proposed language for the adoption or amendment;
 - (4) If the requesting party proposes the repeal of a rule, the requesting party shall identify the rule by title, chapter, subchapter, and rule section; and
 - (5) The requesting party's rationale for proposed adoption, amendment, or repeal.
- (c) On behalf of the SBCC, the NCCCS President or the NCCCS President's designee must communicate the President's decision to grant or to deny the rulemaking petition in writing to the requesting party within 120 calendar days from receipt of the rulemaking petition. The NCCCS President's decision to grant the rulemaking petition means that the SBCC will initiate the rulemaking process to adopt, amend, or repeal the substance of the rule proposed by the requester.
- (d) If the NCCCS President denies the rulemaking petition, the NCCCS President or NCCCS President's designee shall provide the requesting party with the rationale for denying the rulemaking petition. If the NCCCS President denies the rulemaking petition, the NCCCS President or NCCCS President's designee shall report the denial of the rulemaking petition to the Policy Committee of the State Board of Community Colleges for information.

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

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

3B SBCCC 100.2 State Board Review

- (a) If the NCCCS President approves a rulemaking petition, consistent with SBCC Bylaws, the SBCC will evaluate the proposed rule adoption, amendment, or repeal for the first time on the SBCC agenda “For Future Action.” The SBCC shall evaluate the proposed rule adoption, amendment, or repeal for initiation of the rulemaking process on the agenda “For Action” at the SBCC meeting following the SBCC’s first review of the proposed rule, unless the SBCC determines otherwise.
- (b) The SBCC shall initiate the rulemaking process when it is satisfied with the language of the proposed rule adoption, amendment, or repeal.

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

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