



**STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS**

April 20, 2023

Eric Davis, Chair
State Board of Education
Sent via email only to: eric.davis@dpi.nc.gov

Re: Objection to 16 NCAC 06G .0601

Dear Mr. Davis:

This letter will serve as the written notice of objection pursuant to G.S. 150B-21.1(b1).

At its meeting on April 20, 2023, the Rules Review Commission objected to temporary rule 16 NCAC 06G .0601, finding that it was not adopted in accordance with G.S. 150B-21.1. Specifically, the Commission found that the need for the temporary rule was predicated on a recent act of the General Assembly that had been made effective more than 210 days prior to the submission of the rule to the Rules Review Commission, contrary to the requirements of G.S. 150B-21.1(a2). The Commission also denied the State Board of Education's request to waive the 210-day requirement.

Please respond to this objection pursuant to G.S. 150B-21.1(b1) or G.S. 150B-21.1(b2).

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

/s/ Seth Ascher
Seth Ascher
Commission Counsel

CC: Thomas Ziko, thomas.ziko@dpi.nc.gov
Lou Martin, lou.martin@dpi.nc.gov

Donald Robert van der Vaart, Director
Chief Administrative Law Judge

Fred G. Morrison, Jr.
Senior Administrative Law Judge

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