

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: State Board of Education

RULE CITATION: 16 NCAC 06G .0601

DEADLINE FOR RECEIPT: October 12, 2023

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In the history note, line 15, I believe that the statute is transposed. If so, it should be "~~115C-234.10(1)(b)~~115C-234.10(b)(1)".

Under G.S. 115C-234.10(b)(1), students "may be charged damage fees for abuse or loss of hardware or software under rules adopted by the State Board of Education." This rule provides further definition to words used in the statute but does not establish how damage fees may be charged. How are damage fees to be charged?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 16 NCAC 06G .0601 is adopted as published in 37:24 NCR 2230-2231 as follows:

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3 **16 NCAC 06G .0601 REMOTE ACADEMIES HARDWARE AND SOFTWARE FEES**

4 (a) Definitions:

5 (1) "Damage fee" means "any mandatory payment that a local school administrative unit charges a
6 student enrolled in a remote academy for injury to, abuse of, or loss of hardware or software that the
7 local school administrative unit has provided to the student other than degradation arising from
8 normal use, wear and tear, provided the payments cannot exceed the actual cost of repair or fair
9 market value of the hardware or software, whichever is less."

10 (2) "Rental fee" means "any mandatory payment that a local school administrative unit requires students
11 enrolled in remote academies to make before the local school administrative unit will give a student
12 access to or possession of any hardware and software needed to participate in the remote academy."

13 (b) Local administrative units shall not charge students enrolled in remote academies rental fees for use of hardware
14 or software needed to participate in the remote academy but may charge them damage fees.

15 *History Note: Authority G.S. § 115C-234.10(1)(b)*

16 *Eff. November 1, 2023*

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