

Burgos, Alexander N

Subject: FW: [External] Re: 12 NCAC 42D .0102 telephone conversation

From: Schilling, Michelle <mschilling@ncdoj.gov>
Sent: Monday, June 24, 2024 1:30 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] Re: 12 NCAC 42D .0102 telephone conversation

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Good afternoon, Mr. Peaslee,

Thank you for taking the time to discuss the objections to the submitted rule. I have provided information and recommendations to our Commission regarding resolution.

Michelle



MICHELLE SCHILLING

Deputy Director

Criminal Justice Standards Division

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Burgos, Alexander N

From: Peaslee, William W
Sent: Monday, June 24, 2024 11:01 AM
To: Schilling, Michelle
Cc: Burgos, Alexander N
Subject: 12 NCAC 42D .0102 telephone conversation

Good morning,

On Saturday June 22, 2024 we had a telephone conversation initiated by you following the issuance of the staff opinion. This email is to memorialize the relevant conversation.

- You indicated that the temporary rule was adopted June 17, 2024 and that a revised Form 500 would be filed. I told you that while a revision of the Form 500 clarified one issue raised in the staff opinion, it did not change my recommendation.
- We discussed how the relevant statute states 30 “business” days.
- You informed me about the BLET school which had unauthorized instructors which CJETS avers has led to student injuries.
- You inquired about a path forward and whether CJETS could simply adopt the same language after the 30 days had passed. I replied that the path forward was unclear and the agency should seek its own legal counsel. We agreed to speak again on Monday June 24.

If I have missed any relevant points, please let me know.

Having thought about a path forward for CJETS, I am not able to opine further as I do not want to prejudice any determination my client will make regarding whatever your agency decides to do as its next steps. I believe this to be a matter of first impression for the RRC.

Thank you.

William W. Peaslee
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Burgos, Alexander N

From: Peaslee, William W
Sent: Saturday, June 22, 2024 10:07 AM
To: Schilling, Michelle
Cc: Burgos, Alexander N
Subject: 12 NCAC 09C .0401 Temporary
Attachments: 06.2024 Staff Opinion 12 NCAC 09C .0401.doc; CJETS Full-Commission-Meeting-Agenda-6.17.24 (1).pdf

Good morning,

Attached please find the staff opinion for the above captioned rule which will be considered at the June 26, 2024 RRC meeting.

If you have any questions or concerns please feel free to contact me.

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