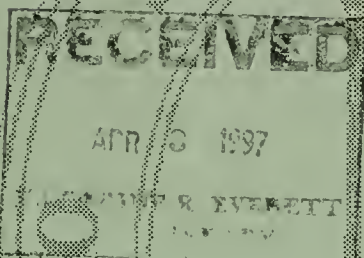


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# ***NORTH CAROLINA REGISTER***

**VOLUME 11 • ISSUE 25 • Pages 1901 - 1968  
April 1, 1997**



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Community Colleges  
Dental Examiners  
Environment, Health, and Natural Resources  
Insurance  
Labor  
Optometry, NC Board of Examiners in  
Rules Review Commission  
Contested Case Decisions

## **PUBLISHED BY**

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## **NOTICE TO SUBSCRIBERS**

**In order to better facilitate internal processes and compile statistical data, the Register publication year is now changed to the State's fiscal year, July through June. The issues published April 1997 through June 1, 1997 will be numbered as Issue 25 through Issue 30. The first issue published in July 1997 will be numbered as Issue 1 and will be numbered consecutively thereafter through June 1998.**



# NORTH CAROLINA REGISTER



**Volume 11, Issue 25**  
**Pages 1901 - 1968**

**April 1, 1997**

This issue contains documents officially filed  
through March 10, 1997.

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**NORTH CAROLINA REGISTER**  
*Publication Schedule*  
 (October 1996 - July 1997)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)						
volume and issue number	issue date	last day for filing	end of comment period	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact		
						end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session
11:13	10/01/96	09/10/96	12/02/96	12/16/96	10/16/96	10/31/96	11/20/96	01/30/97	12/02/96	12/20/96	05/10/98
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## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2B .0103 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ol style="list-style-type: none"><li>(1) temporary rules;</li><li>(2) notices of rule-making proceedings;</li><li>(3) text of proposed rules;</li><li>(4) text of permanent rules approved by the Rules Review Commission;</li><li>(5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;</li><li>(6) Executive Orders of the Governor;</li><li>(7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;</li><li>(8) orders of the Tax Review Board issued under G.S. 105-241.2; and</li><li>(9) other information the Codifier of Rules determines to be helpful to the public.</li></ol>	<p><b>ISSUE DATE:</b> The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p><b>LAST DAY FOR FILING:</b> The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p><b>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:</b> This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p>	<p><b>EARLIEST DATE FOR PUBLIC HEARING:</b> The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p><b>END OF REQUIRED COMMENT PERIOD</b></p> <p>(1) <b>RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:</b> An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</p> <p>(2) <b>RULE WITH SUBSTANTIAL ECONOMIC IMPACT:</b> An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</p>
<p><b>COMPUTING TIME:</b> In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p><b>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:</b> The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p><b>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:</b> This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3. Effective date of rules.</p>		

**EXECUTIVE ORDER NO. 107  
DESIGNATION OF OFFICE AND HUNT  
ADMINISTRATION OFFICIALS  
AUTHORIZED TO RECEIVE BILLS UNDER  
ARTICLE II, SECTION 22, OF THE  
NORTH CAROLINA CONSTITUTION**

WHEREAS, Article II, Section 22, of the North Carolina Constitution provides in part that certain bills must be presented to the Governor; and

WHEREAS, the Constitution does not specify the manner in which presentation is to be made and accepted; and

WHEREAS, from time to time it may be impracticable for bills subject to Section 22 of Article II to be presented personally to the Governor; and

WHEREAS, there is a need to provide a method of presentation for use when personal presentation to the Governor is impracticable.

NOW, THEREFORE, by the authority vested in me by the laws and Constitution of the State of North Carolina, **IT IS ORDERED:**

**Section 1. Designated Office**

Any bill subject to Article II, Section 22, of the North Carolina Constitution shall be deemed presented to the Governor upon actual delivery of the original bill to the Office of the Governor's Legislative Counsel in such manner as to ensure that the Governor's Legislative Counsel knows or should know of the bill's presentation.

**Section 2. Designated Officials**

Any bill subject to Article II, Section 22, of the North Carolina Constitution shall be deemed presented to the Governor upon actual delivery of the original bill to any employee of the Governor's Office designated by a letter to be presented to the office of the principal clerk of each house prior to the passage of the first bill in each session and updated from time to time as needed.

**Section 3. Unacceptable Presentation**

Except as provided herein, no bill shall be deemed presented in compliance with Article II, Section 22, of the North Carolina Constitution unless presented, in original form, personally to Governor James B. Hunt Jr.

**Section 4. Term**

This Executive Order is effective immediately and shall remain in effect until rescinded or amended by subsequent executive order.

Done in the Capital City of Raleigh, North Carolina, this the 20th day of February, 1997.

**EXECUTIVE ORDER NO. 108  
NORTH CAROLINA INTERIM LEAD ABATEMENT  
CERTIFICATION PROGRAM**

WHEREAS, lead poisoning is a significant public health problem in North Carolina with approximately 7% of the children screened having elevated blood lead levels; and

WHEREAS, lead poisoning can cause severe damage to developing brains and nervous systems of young children. Low dose lead exposure can reduce intelligence, delay cognitive development, and impair physical growth in children. This can result in lower academic achievement, decreased worker productivity and greater health and human resources costs to the State; and

WHEREAS, old housing, particularly in rural areas, represents 80% of the source of lead exposure to North Carolina's children; and

WHEREAS, General Statute 130A-131.5 mandates abatement of lead-based paint hazards in dwellings, schools and day care facilities determined to be potential sources of elevated blood lead levels in children less than six years of age; and

WHEREAS, the United States Department of Housing and Urban Development has awarded the North Carolina Department of Commerce (NCDOC) \$4,000,000 in funding for lead abatement. The NCDOC can only disburse these funds to lead abatement contractors certified according to the requirements set forth in the Residential Lead-Based Paint Reduction Act of 1992; and

WHEREAS, North Carolina faces losing the \$4,000,000 in federal funding without a mechanism for the certification of lead abatement contractors; and

WHEREAS, more than 80% of the lead-based paint abatement activities in North Carolina are conducted pursuant to state mandates in response to children with elevated blood lead levels or through specific grants or loans from the North Carolina Department of Commerce, the North Carolina Housing Finance Agency, or federal or state funding mechanisms.

NOW, THEREFORE, by the authority vested in me by the Constitution and laws of the State of North Carolina and the United States of America, **IT IS ORDERED:**

**Section 1. Purpose**

The Interim Lead Abatement Certification Program will temporarily certify individuals to perform specified lead abatement activities.

**Section 2. Responsibilities of the Department of Environment, Health and Natural Resources**

a. Applicability

(1) For this Executive Order, "the Department" shall refer to the Department of Environment, Health, and Natural Resources. "The Program" shall refer to the Interim Lead Abatement Certification Program. "The State" shall refer to the State of North Carolina.

(2) As used in this Executive Order:

- (i) "Lead abatement" means any set of measures designed to identify or eliminate lead-based paint and lead-based paint hazards.
- (ii) "Lead-based paint" means paint or other surface coatings that contain lead at or greater than an action level determined by the Department.
- (iii) A "lead-based paint hazard" means any condition that causes exposure to lead from lead-contaminated dust, soil, or lead-based painted surfaces that would result in adverse effects to children's health.
- (iv) "Specified lead abatement activities" include those activities ordered by the State or a local health department or funded by monies granted from the state or federal government for the purpose of lead-based paint hazard abatement, but do not include funds for general rehabilitation purposes.

b. Responsibilities

(1) The Department shall establish an Interim Lead Abatement Certification Program for all individuals performing specified lead abatement activities as set forth in Section 2.a.(2)(iv) above.

(2) The Program will assist such individuals to acquire lead abatement certification. Individuals shall acquire certification before performing specific lead abatement activities as set forth in Section 2.a.(2)(iv).

(3) The Program will certify individuals according to the requirements set forth in the Residential Lead-Based Paint Reduction Act of 1992.

(4) The Program will assure that those specified lead abatement activities as set forth in Section 2.a.(2)(iv) are performed by certified individuals.

(5) The Department shall continue its efforts to obtain a permanent lead abatement certification program. The Program shall remain in effect until the State fulfills the statutory requirements of Section 404(a) of the Toxic Substance Control Act within the established time limits.

(6) The funding for the Program shall be provided to the Department by the North Carolina Department of Commerce out of funding provided to the NCDOC by the United States Department of Housing and Urban Development.

Section 3. Effective Date

This Executive Order is effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 24th day of February, 1997.

*This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.*

**North Carolina Department of Labor  
Division of Occupational Safety and Health  
319 Chapanoke Road  
Raleigh, NC 27603**

**(919) 662-4575**

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**NOTICE OF VERBATIM ADOPTION OF FEDERAL STANDARDS**

Pursuant to GS § 150B-21.5(c) the Occupational Safety and Health Division of the Department of Labor hereby gives notice that it has submitted a permanent rule change to bring certain entries in 13 NCAC 07F .0101 Table Z-1. - LIMITS FOR AIR CONTAMINANTS, into compliance with federal OSHA standards (29 CFR 1910). The affected entries are associated with 2-Aminopyridine, Carbon Disulfide, Methylene chloride, and Vanadium.

For additional information regarding this verbatim adoption please contact:

Peggy D. Morris  
Division of Occupational Safety and Health  
319 Chapanoke Road  
Raleigh, NC 27603  
(919) 662-4581

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**North Carolina Department of Labor  
Division of Occupational Safety and Health  
319 Chapanoke Road  
Raleigh, NC 27603**

**(919)662-4575**

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**NOTICE OF VERBATIM ADOPTION OF FEDERAL STANDARDS**

In consideration of G.S. 150B-21.5(c) the Occupational Safety and Health Division of the N.C. Department of Labor hereby gives notice that:

- (1) Rule changes have been submitted to update the *North Carolina Administrative Code* at 13 NCAC 07F .0101, 13 NCAC 07F .0201, and 13 NCAC 07F .0501 to incorporate by reference the occupational safety and health related provisions of Title 29 of the *Code of Federal Regulations* Parts 1910 and 1926 promulgated as of February 28, 1997, except as specifically described. These rule changes are effective March 7, 1997.
- (2) the *North Carolina Administrative Code* at 13 NCAC 07A .0301 automatically includes amendments to certain parts of the Code of Federal Regulations, including Title 29, Part 1904--Recording and Reporting Occupational Injuries and Illnesses.

This update encompasses recent verbatim adoptions of the following:

- Corrections to the scaffolding portion of 29 CFR 1926 and a partial stay of the implementation of 29 CFR 1926.451(b)(2)(i) as it relates to the minimum width of roof bracket scaffolds (Ref.: 61 FR 228, 59831-59832, November 25, 1996).
- Amendments to 29 CFR 1910 standards concerning occupational exposure to Methylene Chloride (Ref.: 62 FR 7, 1494-1618, January 10, 1997) and 1,3-Butadiene (Ref.: 61 FR 214, 56746-56856, November 4, 1996).
- Amendments to 29 CFR 1904 concerning the requirements for reporting occupational injury and illness data to the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) (Ref.: 62 FR 28, 6434-6442, February 11, 1997). The final federal rule will become effective on March 13, 1997.

The *Federal Register* (FR), as cited above, contains both technical and economic discussions that explain the basis for each change.

For additional information regarding this notice please contact:

Peggy D. Morris  
Division of Occupational Safety and Health  
319 Chapanoke Road  
Raleigh, NC 27603  
(919) 662-4581

*A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**

**CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

*Notice of Rule-making Proceedings is hereby given by the North Carolina Wildlife Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** *15A NCAC 10F .0355. Other rules may be proposed in the course of the rule-making process.*

**Authority for the rule-making:** *G.S. 75A-3; 75A-15*

**Statement of the Subject Matter:** *Establish no wake zone on Yeopim River in Perquimans County.*

**Reason for Proposed Action:** *To regulate boat speed in congested area.*

**Comment Procedures:** *The record will be open for receipt of written comments from April 1, 1997 through May 31, 1997. Such written comments must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.*

*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

## **TITLE 11 - DEPARTMENT OF INSURANCE**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Home Inspectors Licensure Board intends to adopt rules cited as 11 NCAC 8 .1001 - .1011, .1101 - .1116 and .1201 - .1209. Notice of Rule-making Proceedings was published in the Register on November 1, 1996.

**Proposed Effective Date:** July 1, 1998

**A Public Hearing** will be conducted at 9:00 a.m. on April 16, 1997 at the N.C. Department of Insurance, 410 N. Boylan Avenue, Raleigh, NC 27603.

**Reason for Proposed Action:** To establish licensing procedures, standards of practice, and a code of ethics for home inspectors as required by law.

**Comment Procedures:** Written comments may be sent to Grover Sawyer, Department of Insurance, P.O. Box 26387, Raleigh, NC 27611.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

## **CHAPTER 8 - ENGINEERING AND BUILDING CODES**

### **SECTION .1000 - N.C. HOME INSPECTOR LICENSURE BOARD**

#### **.1001 OFFICERS**

The term of each officer shall be one year. Officers shall serve until a successor is elected and installed. Officers shall be eligible for re-election.

Authority G.S. 143-151.48(a).

#### **.1002 MEETINGS**

(a) Regular Meetings. The date, time, and location of the Board meetings shall be listed with the Secretary of State's office. The chairman shall give written notice of the exact meeting place to each member no later than two weeks before the meeting. The chairman may reschedule a regular meeting by giving written notice to all members no later than two weeks before when the scheduled meeting would normally be held.

(b) Special Meetings. Written notice of any special meetings shall be given to all members of the Board at least two weeks before the time of the meeting, setting forth the time, date, and place of the meeting and the purpose for which it shall be held. In the event of an emergency, the notice period may be shortened as long as every member is notified before the meeting.

Authority G.S. 143-151.48(b).

#### **.1003 PERSONS AND PRACTICES NOT AFFECTED**

Registered architects, professional engineers, and licensed general contractors do not need home inspector licenses to make on site inspections of residential buildings for which they are preparing plans, designs, specifications, or estimates for construction, remodeling, or repairs.

Authority G.S. 143-151.49(a)(13).

#### **.1004 EQUIVALENT EXPERIENCE**

(a) The Board shall consider equivalent experience of applicants who do not meet the experience requirements of G.S. 143-151.51(5) or G.S. 143-151.61. Any one of the following descriptions of experience shall be considered sufficient to meet the equivalent experience requirements:

- (1) A bachelor of science degree from any engineering, architecture or building technology school and two years experience working in building design, construction, or inspection of building, electrical, mechanical, and plumbing systems.
- (2) A two year Associate of Applied Science degree from a community college or technical school in building technology, civil engineering, electrical engineering, mechanical engineering, or architecture; and either four years of design experience in building, electrical, mechanical, and plumbing systems, or four years experience as an employee under the direct supervision of a licensed general (residential or building) contractor who supervises electrical, mechanical, and plumbing subcontractors.
- (3) Six years experience as an employee under the direct supervision of a licensed general contractor (residential or building) performing building construction and who supervises electrical, mechanical, and plumbing subcontractors.
- (4) Certification by the North Carolina Code Officials Qualification Board as a Code Enforcement

Official with Standard Level I (or higher) inspection certification in four areas: building, electrical, mechanical, and plumbing.

- (5) Any combination of certification listed in Subparagraph (a)(4) of this Rule and a license as an electrical contractor (limited or greater) issued by the N.C. Board of Electrical Examiners, or a license as a heating or cooling contractor (H1, H2, or H3), or a plumbing contractor issued by the N.C. Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors, resulting in either a certificate or a license in four areas in building, electrical, mechanical, and plumbing contracting or inspections.

- (6) For the purpose of G.S. 143-151.51(5)a, the number of completed home inspections for compensation before October 1, 1996, as a home inspector may be included.

(b) Applicants may submit other experience in the design, installation, or inspection of buildings and electrical, mechanical, and plumbing systems. The Board's Application Evaluation Committee shall consider such experience on a case-by-case basis.

(c) Graduation in a home inspection course from a training institute or correspondence school is not sufficient to meet the equivalent experience alone. However, such courses may be listed along with other experience.

*Authority G.S. 143-151.49(a)(13); 143-151.51(5)b.*

#### **.1005 RECIPROCITY**

If an applicant is licensed as a home inspector in another state that has laws and rules that are similar to G.S. 143, Article 9F and to the rules of the Board, the Board shall accept that license as evidence of experience. However, the applicant shall satisfactorily complete the Board's written examination and other licensing requirements before the Board shall issue the applicant a license.

*Authority G.S. 143-151.49(a)(13).*

#### **.1006 NET ASSETS OR SURETY BOND**

To be licensed as a home inspector, an applicant shall provide proof to the Board that he or she has personal net assets of five thousand dollars (\$5,000) or more. In the alternative, the applicant shall provide the Board with a cash bond or a surety bond in the amount of five thousand dollars (\$5,000) or more. Any surety bond shall be written by a surety company that is authorized by the Commissioner of Insurance to do business in this State.

*Authority G.S. 143-151.51(3); 143-151.49(a)(13).*

#### **.1007 EXAMINATION**

An applicant must pass an examination administered by the Board. The examination shall be administered at least twice each year. The applicant must answer 70% of the questions

correctly to receive a passing grade. The examination shall include questions about the administrative rules adopted by the Board, G.S. 143, Article 9F, inspections of the building structures and their components, and electrical, mechanical, and plumbing systems and appliances.

*Authority G.S. 143-151.49(a)(13); 143-151.51(2).*

#### **.1008 APPLICATIONS FOR LICENSES**

Persons may obtain license applications from the Board after they pay the appropriate fee. Applicants shall return a completed application form and any supporting documentation to the Board at least 30 days before the next scheduled examination. The Board shall notify applicants of the times, dates, and locations of examinations. If available space is not sufficient for the number of applicants, additional examinations shall be scheduled.

*Authority G.S. 143-151.49(a)(13); 143-151.51.*

#### **.1009 DISPLAY OF LICENSE**

Home inspectors shall display their licenses at their places of business. If a home inspector works out of his or her home, the inspector shall keep the license on file in the home.

*Authority G.S. 143-151.49(a)(13); 143-151.54.*

#### **.1010 APPEALS OF DENIALS**

The initial evaluations of license applications shall be made by the Board's staff. Any applicant wishing to appeal the staff's decision to deny his or her application shall make a written request for a review to the Board's Application Evaluation Committee. The applicant shall request a hearing if aggrieved by any final decision of the Board denying the application.

*Authority G.S. 143-151.49(a)(13); 143-151.56(b).*

#### **.1011 FEE SCHEDULE**

(a) The following fees apply to the licensure of home inspectors:

<u>Application for Home Inspector License</u>	<u>\$ 25.00</u>
<u>Application for Associate Home Inspector License</u>	<u>\$ 15.00</u>
<u>Home Inspector Examination</u>	<u>\$ 75.00</u>
<u>Associate Home Inspector Examination</u>	<u>\$ 75.00</u>
<u>Initial Issuance of Home Inspector License</u>	<u>\$150.00</u>
<u>Initial Issuance of Associate Home Inspector License</u>	<u>\$100.00</u>
<u>Annual Renewal of Home Inspector License</u>	<u>\$150.00</u>
<u>Annual Renewal of Associate Home Inspector License</u>	<u>\$100.00</u>
<u>Late Renewal Penalty Fee - Home Inspector License</u>	<u>\$ 25.00</u>
<u>Late Renewal Penalty Fee - Associate Home Inspector License</u>	<u>\$ 15.00</u>
<u>Copies of Board Rules and License Standards</u>	<u>\$ 5.00</u>

(b) The home inspector and the associate home inspector initial issuance license fees are due after successful completion of the examination. The Board shall not issue a license until it receives the appropriate fee. The license shall be valid from the date of issue until the following September 30.

*Authority G.S. 143-151.49(a)(13); 143-151.55.*

## SECTION .1100 - N.C. HOME INSPECTOR STANDARDS OF PRACTICE AND CODE OF ETHICS

### .1101 DEFINITIONS

The following definitions apply to this Section:

- (1) Automatic safety controls means devices designed and installed to protect systems and components from excessively high or low pressures and temperatures, excessive electrical current, loss of water, loss of ignition, fuel leaks, fire, freezing, or other unsafe conditions.
- (2) Central air conditioning means a system that uses ducts to distribute cooled or dehumidified air to more than one room or uses pipes to distribute chilled water to heat exchangers in more than one room, and that is not plugged into an electrical convenience outlet.
- (3) Component means a readily accessible and observable aspect of a system, such as a floor, or wall, but not individual pieces such as boards or nails where many similar pieces make up the component.
- (4) Cross connection means any physical connection or arrangement between potable water and any source of contamination.
- (5) Dangerous or adverse situations means situations that pose a threat of injury to the inspector, or those situations that require the use of special protective clothing or safety equipment.
- (6) Describe means report in writing a system or component by its type, or other observed characteristics, to distinguish it from other components used for the same purpose.
- (7) Dismantle means to take apart or remove any component, device or piece of equipment that is bolted, screwed, or fastened by other means and that would not be dismantled by a homeowner in the course of normal household maintenance.
- (8) Enter means to go into an area to observe all visible components.
- (9) Functional drainage means a drain is functional when it empties in a reasonable amount of time and does not overflow when another fixture is drained simultaneously.
- (10) Functional flow means a reasonable flow at the highest fixture in a dwelling when another fixture is operated simultaneously.

- (11) Installed means attached or connected such that the installed item requires tools for removal.
- (12) Normal operating controls means homeowner operated devices such as a thermostat, wall switch, or safety switch.
- (13) Observe means the act of making a visual examination.
- (14) On-site water supply quality means water quality is based on the bacterial, chemical, mineral, and solids content of the water.
- (15) On-site water supply quantity means water quantity is the rate of flow of water.
- (16) Operate means to cause systems or equipment to function.
- (17) Readily openable access panel means a panel provided for homeowner inspection and maintenance that has removable or operable fasteners or latch devices in order to be lifted off, swung open, or otherwise removed by one person; and its edges and fasteners are not painted in place. This definition is limited to those panels within normal reach or from a four-foot stepladder, and that are not blocked by stored items, furniture, or building components.
- (18) Representative number means for multiple identical components such as windows and electrical outlets - one such component per room. For multiple identical exterior components - one such component on each side of the building.
- (19) Roof drainage systems means gutters, downspouts, leaders, splashblocks, and similar components used to carry water off a roof and away from a building.
- (20) Shut down means a piece of equipment or a system is shut down when it cannot be operated by the device or control that a home owner should normally use to operate it. If its safety switch or circuit breaker is in the "off" position, or its fuse is missing or blown, the inspector is not required to reestablish the circuit for the purpose of operating the equipment or system.
- (21) Solid fuel heating device means any wood, coal, or other similar organic fuel burning device, including but not limited to fireplaces whether masonry or factory built, fireplace inserts and stoves, woodstoves (room heaters), central furnaces, and combinations of these devices.
- (22) Structural component means a component that supports non-variable forces or weights (dead loads) and variable forces or weights (live loads).
- (23) System means a combination of interacting or interdependent components, assembled to carry out one or more functions.
- (24) Technically exhaustive means an inspection involving the extensive use of measurements, instruments, testing, calculations, and other means to develop scientific or engineering findings, conclusions, and recommendations.

- (25) Underfloor crawl space means the area within the confines of the foundation and between the ground and the underside of the lowest floor structural component.

Authority G.S. 143-151.49(a)(13); 143-151.49(a)(2).

## .1102 STANDARDS OF PRACTICE

This Section sets forth the minimum standards of practice required of licensed home inspectors and licensed associate home inspectors. In this Section, the term "home inspectors" means both licensed home inspectors and licensed associate home inspectors.

Authority G.S. 143-151.49(a)(2); 143-151.49(a)(13).

## .1103 PURPOSE AND SCOPE

(a) Home inspections performed according to this Section shall provide the client with a better understanding of the property conditions, as observed at the time of the home inspection.

(b) Home inspectors shall:

- (1) Provide a written, signed contract that shall:
  - (A) State that the home inspection is in accordance with the Standards of Practice of the North Carolina Home Inspector Licensure Board;
  - (B) Describe what services shall be provided and their cost; and
  - (C) State, when an inspection is for only one or a limited number of systems or components, that the inspection is limited to only those systems or components.
- (2) Observe readily visible and accessible installed systems and components listed in this Section; and
- (3) Submit a written report to the client that shall:
  - (A) Describe those systems and components specified to be described in Rules .1106 through .1115 of this Section;
  - (B) State which systems and components designated for inspection in this Section have been inspected, and state any systems or components designated for inspection that were not inspected, and the reason for not inspecting;
  - (C) State any systems or components so inspected that do not function as intended, allowing for normal wear and tear, or adversely affect the habitability of the dwelling; and
  - (D) State the name, license number, and signature of the person supervising the inspection and the name, license number, and signature of the person conducting the inspection.

(c) This Section does not limit home inspectors from:

- (1) Reporting observations and conditions or rendering

opinions of items in addition to those required in Paragraph (b) of this Rule; or

- (2) Excluding systems and components from the inspection if requested by the client, and so stated in the written contract.

Authority G.S. 143-151.49(a)(13).

## .1104 GENERAL LIMITATIONS

(a) Home inspections done in accordance with this Section are visual and are not technically exhaustive.

(b) This Section applies to buildings with four or fewer dwelling units, and individually owned residential units within multi-family buildings, and their attached garages or carports.

Authority G.S. 143-151.49(a)(13).

## .1105 GENERAL EXCLUSIONS

(a) Home inspectors are not required to report on:

- (1) Life expectancy of any component or system;
- (2) The causes of the need for a repair;
- (3) The methods, materials, and costs of corrections;
- (4) The suitability of the property for any specialized use;
- (5) Compliance or non-compliance with codes, ordinances, statutes, regulatory requirements or restrictions;
- (6) The market value of the property or its marketability;
- (7) The advisability or inadvisability of purchase of the property;
- (8) Any component or system that was not observed;
- (9) The presence or absence of pests such as wood damaging organisms, rodents, or insects; or
- (10) Cosmetic items, underground items, or items not permanently installed.

(b) Home inspectors are not required to:

- (1) Offer or perform any act or service contrary to law;
- (2) Offer warranties or guarantees of any kind;
- (3) Offer or perform engineering, architectural, plumbing, electrical or any other job function requiring an occupational license in the jurisdiction where the inspection is taking place, unless the home inspector holds a valid occupational license, in which case the home inspector may inform the client that the home inspector is so licensed, and is therefore qualified to go beyond this Section and perform additional inspections beyond those within the scope of the basic inspection;
- (4) Calculate the strength, adequacy, or efficiency of any system or component;
- (5) Enter any area or perform any procedure that may damage the property or its components or be dangerous to the home inspector or other persons;
- (6) Operate any system or component that is shut

down or otherwise inoperable:

- (7) Operate any system or component that does not respond to normal operating controls;
- (8) Disturb insulation, move personal items, panels, furniture, equipment, plant life, soil, snow, ice, or debris that obstructs access or visibility;
- (9) Determine the presence or absence of any suspected adverse environmental condition or hazardous substance, including but not limited to toxins, carcinogens, noise, contaminants in the building or in soil, water, and air;
- (10) Determine the effectiveness of any system installed to control or remove suspected hazardous substances;
- (11) Predict future condition, including but not limited to failure of components;
- (12) Project operating costs of components;
- (13) Evaluate acoustical characteristics of any system or component; or
- (14) Observe special equipment or accessories that are not listed as components to be observed in this Section.

*Authority G.S. 143-151.49(a)(13).*

#### **.1106 STRUCTURAL COMPONENTS**

(a) The home inspector shall observe structural components including:

- (1) Foundation;
- (2) Floors;
- (3) Walls;
- (4) Columns or piers;
- (5) Ceilings; and
- (6) Roofs.

(b) The home inspector shall describe the type of:

- (1) Foundation;
- (2) Floor structure;
- (3) Wall structure;
- (4) Columns or piers;
- (5) Ceiling structure; and
- (6) Roof structure.

(c) The home inspector shall:

- (1) Probe structural components where deterioration is suspected, except where probing would damage any surface;
- (2) Enter underfloor crawl spaces, basements, and attic spaces except when access is obstructed, when entry could damage the property, or when dangerous or adverse situations are suspected;
- (3) Report the methods used to observe underfloor crawl spaces and attics; and
- (4) Report signs of abnormal or harmful water penetration into the building or signs of abnormal or harmful condensation on building components.

*Authority G.S. 143-151.49(a)(13).*

#### **.1107 EXTERIOR**

(a) The home inspector shall observe:

- (1) Wall cladding, flashings, and trim;
- (2) Entryway doors and a representative number of windows;
- (3) Garage door operators;
- (4) Decks, balconies, stoops, steps, areaways, porches and applicable railings;
- (5) Eaves, soffits, and fascias; and
- (6) Vegetation, grading, drainage, driveways, patios, walkways, and retaining walls with respect to their effect on the condition of the building.

(b) The home inspector shall:

- (1) Describe wall cladding materials;
- (2) Operate all entryway doors and a representative number of windows;
- (3) Operate garage doors manually or by using permanently installed controls for any garage door operator; and
- (4) Report whether or not any garage door operator will automatically reverse or stop when meeting reasonable resistance during closing.

(c) The home inspector is not required to observe:

- (1) Storm windows, storm doors, screening, shutters, awnings, and similar seasonal accessories;
- (2) Fences;
- (3) Presence of safety glazing in doors and windows;
- (4) Garage door operator remote control transmitters;
- (5) Geological conditions;
- (6) Soil conditions;
- (7) Recreational facilities (including spas, saunas, steam baths, swimming pools, tennis courts, playground equipment, and other exercise, entertainment, or athletic facilities);
- (8) Detached buildings or structures; or
- (9) Presence or condition of buried fuel storage tanks.

*Authority G.S. 143-151.49(a)(13).*

#### **.1108 ROOFING**

(a) The home inspector shall observe:

- (1) Roof coverings;
- (2) Roof drainage systems;
- (3) Flashings;
- (4) Skylights, chimneys, and roof penetrations; and
- (5) Signs of leaks or abnormal condensation on building components.

(b) The home inspector shall:

- (1) Describe the type of roof covering materials; and
- (2) Report the methods used to observe the roofing.

(c) The home inspector is not required to:

- (1) Walk on the roofing; or
- (2) Observe attached accessories including but not limited to solar systems, antennae, and lightning arrestors.

*Authority G.S. 143-151.49(a)(13).*

# **.1109 PLUMBING**

- (a) The home inspector shall observe:
  - (1) Interior water supply and distribution system, including: piping materials, supports, and insulation; fixtures and faucets; functional flow; leaks; and cross connections;
  - (2) Interior drain, waste, and vent system, including: traps; drain, waste, and vent piping; piping supports and pipe insulation; leaks; and functional drainage;
  - (3) Hot water systems including: water heating equipment; normal operating controls; automatic safety controls; and chimneys, flues, and vents;
  - (4) Fuel storage and distribution systems including: interior fuel storage equipment, supply piping, venting, and supports; leaks; and
  - (5) Sump pumps.
- (b) The home inspector shall describe:
  - (1) Water supply and distribution piping materials;
  - (2) Drain, waste, and vent piping materials;
  - (3) Water heating equipment; and
  - (4) Location of main water supply shutoff device.
- (c) The home inspector shall operate all plumbing fixtures, including their faucets and all exterior faucets attached to the house, except where the flow end of the faucet is connected to an appliance.
- (d) The home inspector is not required to:
  - (1) State the effectiveness of anti-siphon devices;
  - (2) Determine whether water supply and waste disposal systems are public or private;
  - (3) Operate automatic safety controls;
  - (4) Operate any valve except water closet flush valves, fixture faucets, and hose faucets;
  - (5) Observe:
    - (A) Water conditioning systems;
    - (B) Fire and lawn sprinkler systems;
    - (C) On-site water supply quantity and quality;
    - (D) On-site waste disposal systems;
    - (E) Foundation irrigation systems;
    - (F) Spas, except as to functional flow and functional drainage;
    - (G) Swimming pools;
    - (H) Solar water heating equipment; or
  - (6) Observe the system for proper sizing, design, or use of proper materials.

Authority G.S. 143-151.49(a)(13).

# **.1110 ELECTRICAL**

- (a) The home inspector shall observe:
  - (1) Service entrance conductors;
  - (2) Service equipment, grounding equipment, main overcurrent device, and main and distribution panels;
  - (3) Amperage and voltage ratings of the service;
  - (4) Branch circuit conductors, their overcurrent devices, and the compatibility of their ampacities

and voltages;

- (5) The operation of a representative number of installed ceiling fans, lighting fixtures, switches and receptacles located inside the house, garage, and on the dwelling's exterior walls;
- (6) The polarity and grounding of all receptacles within six feet of interior plumbing fixtures, and all receptacles in the garage or carport, and on the exterior of inspected structures;
- (7) The operation of ground fault circuit interrupters; and
- (8) Smoke detectors.
- (b) The home inspector shall describe:
  - (1) Service amperage and voltage;
  - (2) Service entry conductor materials;
  - (3) Service type as being overhead or underground; and
  - (4) Location of main and distribution panels.
- (c) The home inspector shall report any observed aluminum branch circuit wiring.
- (d) The home inspector shall report on presence or absence of smoke detectors, and operate their test function, if accessible, except when detectors are part of a central system.
- (e) The home inspector is not required to:
  - (1) Insert any tool, probe, or testing device inside the panels;
  - (2) Test or operate any overcurrent device except ground fault circuit interrupters;
  - (3) Dismantle any electrical device or control other than to remove the covers of the main and auxiliary distribution panels; or
  - (4) Observe:
    - (A) Low voltage systems;
    - (B) Security system devices, heat detectors, or carbon monoxide detectors;
    - (C) Telephone, security, cable TV, intercoms, or other ancillary wiring that is not a part of the primary electrical distribution system; or
    - (D) Built-in vacuum equipment.

Authority G.S. 143-151.49(a)(13).

# **.1111 HEATING**

- (a) The home inspector shall observe permanently installed heating systems including:
  - (1) Heating equipment;
  - (2) Normal operating controls;
  - (3) Automatic safety controls;
  - (4) Chimneys, flues, and vents, where readily visible;
  - (5) Solid fuel heating devices;
  - (6) Heat distribution systems including fans, pumps, ducts and piping, with supports, insulation, air filters, registers, radiators, fan coil units, convectors; and
  - (7) The presence of an installed heat source in each room.

- (b) The home inspector shall describe:
  - (1) Energy source; and
  - (2) Heating equipment and distribution type.
- (c) The home inspector shall operate the systems using normal operating controls.
- (d) The home inspector shall open readily openable access panels provided by the manufacturer or installer for routine homeowner maintenance.
- (e) The home inspector is not required to:
  - (1) Operate heating systems when weather conditions or other circumstances may cause equipment damage;
  - (2) Operate automatic safety controls;
  - (3) Ignite or extinguish solid fuel fires; or
  - (4) Observe:
    - (A) The interior of flues;
    - (B) Fireplace insert flue connections;
    - (C) Humidifiers;
    - (D) Electronic air filters; or
    - (E) The uniformity or adequacy of heat supply to the various rooms.

*Authority G.S. 143-151.49(a)(13).*

#### **.1112 CENTRAL AIR CONDITIONING**

- (a) The home inspector shall observe:
  - (1) Central air conditioning systems including:
    - (A) Cooling and air handling equipment; and
    - (B) Normal operating controls.
  - (2) Distribution systems including:
    - (A) Fans, pumps, ducts and piping, with associated supports, dampers, insulation, air filters, registers, fan-coil units; and
    - (B) The presence of an installed cooling source in each room.
- (b) The home inspector shall describe:
  - (1) Energy sources; and
  - (2) Cooling equipment type.
- (c) The home inspector shall operate the systems using normal operating controls.
- (d) The home inspector shall open readily openable access panels provided by the manufacturer or installer for routine homeowner maintenance
- (e) The home inspector is not required to:
  - (1) Operate cooling systems when weather conditions or other circumstances may cause equipment damage;
  - (2) Observe non-central air conditioners; or
  - (3) Observe the uniformity or adequacy of cool-air supply to the various rooms.

*Authority G.S. 143-151.49(a)(13).*

#### **.1113 INTERIORS**

- (a) The home inspector shall observe:
  - (1) Walls, ceiling, and floors;
  - (2) Steps, stairways, balconies, and railings;

- (3) Counters and a representative number of cabinets; and
- (4) A representative number of doors and windows.
- (b) The home inspector shall:
  - (1) Operate a representative number of windows and interior doors; and
  - (2) Report signs of abnormal or harmful water penetration into the building or signs of abnormal or harmful condensation on building components.
- (c) The home inspector is not required to observe:
  - (1) Paint, wallpaper, and other finish treatments on the interior walls, ceilings, and floors;
  - (2) Carpeting; or
  - (3) Draperies, blinds, or other window treatments.

*Authority G.S. 143-151.49(a)(13).*

#### **.1114 INSULATION AND VENTILATION**

- (a) The home inspector shall observe:
  - (1) Insulation and vapor retarders in unfinished spaces;
  - (2) Ventilation of attics and foundation areas;
  - (3) Kitchen, bathroom, and laundry venting systems; and
  - (4) The operation of any readily accessible attic ventilation fan, and, when temperature permits, the operation of any readily accessible thermostatic control.
- (b) The home inspector shall describe:
  - (1) Insulation in unfinished spaces; and
  - (2) Absence of insulation in unfinished space at conditioned surfaces.
- (c) The home inspector is not required to report on:
  - (1) Concealed insulation and vapor retarders; or
  - (2) Venting equipment that is integral with household appliances.

*Authority G.S. 143-151.49(a)(13).*

#### **.1115 BUILT-IN KITCHEN APPLIANCES**

- (a) The home inspector shall observe and operate the basic functions of the following kitchen appliances:
  - (1) Permanently installed dishwasher, through its normal cycle;
  - (2) Range, cook top, and permanently installed oven;
  - (3) Trash compactor;
  - (4) Garbage disposal;
  - (5) Ventilation equipment or range hood; and
  - (6) Permanently installed microwave oven.
- (b) The home inspector is not required to observe:
  - (1) Clocks, timers, self-cleaning oven function, or thermostats for calibration or automatic operation;
  - (2) Non built-in appliances; or
  - (3) Refrigeration units.
- (c) The home inspector is not required to operate:
  - (1) Appliances in use; or
  - (2) Any appliance that is shut down or otherwise

inoperable.

Authority G.S. 143-151.49(a)(13).

#### .1116 CODE OF ETHICS

(a) Licensees shall discharge their duties with fidelity to the public, their clients, and with fairness and impartiality to all.

(b) Opinions expressed by licensees shall only be based on their education, experience, and honest convictions.

(c) A licensee shall not disclose any information about the results of an inspection without the approval of the client for whom the inspection was performed, or the client's designated representative.

(d) No licensee shall accept compensation or any other consideration from more than one interested party for the same service without the consent of all interested parties.

(e) No licensee shall accept or offer commissions or allowances, directly or indirectly, from other parties dealing with the client in connection with work for which the licensee is responsible.

(f) No licensee shall express, within the context of an inspection, an appraisal or opinion of the market value of the inspected property.

(g) Before the execution of a contract to perform a home inspection, a licensee shall disclose to the client any interest in a business that may affect the client. No licensee shall allow his or her interest in any business to affect the quality or results of the inspection work that the licensee may be called upon to perform.

(h) Licensees shall not engage in false or misleading advertising or otherwise misrepresent any matters to the public.

Authority G.S. 143-151.49(a)(13).

### SECTION .1200 - DISCIPLINARY ACTIONS

#### .1201 DEFINITIONS

The following definitions are used in this Section:

- (1) The definitions in G.S. 143-151.45 are incorporated into this Section by reference. "Associate home inspector" is included where reference is made to "home inspector" or "licensee".
- (2) "File or filing" means to place the paper or item to be filed into the care and custody of the presiding officer, and acceptance thereof by him, except that the Board may permit the papers to be filed with the Board, in which event the Board shall note thereon the filing date. All documents filed with the presiding officer or the Board, except exhibits, shall be duplicate in letter size 8 1/2" by 11".
- (3) "Party" means the Board, the licensee, or an intervenor who qualifies under G.S. 150B-38(f). "Party" does not include a complainant unless the complainant is allowed to intervene under G.S.

150B-38(f).

- (4) "Service or serve" means personal delivery or, unless otherwise provided by law or rule, delivery by first class United States Postal Service mail or a licensed overnight express mail service, addressed to the person to be served at his or her last known address. A Certificate of Service by the person making the service shall be appended to every document requiring service under these rules. Service by mail or licensed overnight express mail is complete upon addressing, enveloping, and placing the item to be served, in an official depository of the United States Postal Service or delivering the item to an agent of an overnight express mail service.

Authority G.S. 143-151.49(a)(13); 150B-38(h).

#### .1202 COMPLAINTS

(a) Anyone who believes that a licensee is or has been engaged in any conduct set out in G.S. 143-151.56(a) may file a written complaint against that licensee. The Board may, upon its own motion, initiate an investigation of a licensee.

(b) An information memo containing instructions for filing the complaint shall be mailed to anyone requesting complaint information from the Board.

(c) The complaint shall specifically identify the licensee and describe the conduct complained about.

(d) Supporting information shall be included to justify the complaint. Supporting information shall refer to specific violations of the Board's rules or of the General Statutes. If the complaint involves items included in the Standards of Practice that the licensee did not observe, a list of those items must be submitted with the complaint. This information may be provided by the complainant, an architect, professional engineer, licensed contractor, another licensed home inspector, or other person with knowledge of the Standards of Practice. A copy of the contract agreement, the inspection report, and any reports made by other consultants shall be included with the complaint.

(e) The complaint shall be in writing, signed by the complainant, and dated. The complaint shall include the complainant's mailing address and a daytime phone number at which the complainant may be reached. The street address of the structure must be included.

(f) The Board shall not consider services that are under the jurisdiction of other regulatory agencies or licensing boards, such as, termite inspections, appraisals, services rendered by licensed architects, engineers, or general contractors, unless the persons rendering those services claim to be home inspectors.

(g) The Board has no jurisdiction over persons who make specialized inspections as part of their repair or maintenance businesses, such as, roofing repair contractors, chimney sweeps, duct cleaning, and interior environment specialists.

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1203 BOARD STAFF**

The Engineering Division shall verify whether the allegations listed in complaints are violations of the Standards of Practice, Code of Ethics, or of the General Statutes.

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1204 INVESTIGATION**

(a) On receipt of a complaint conforming to this Section, the Engineering Division shall make an investigation of the charges and issue a report. The report shall address each item alleged to be a violation of these Rules or of the General Statutes.

(b) A copy of the complaint shall be mailed to the home inspector. The inspector shall submit a written response to the Engineering Division within two weeks after receipt of the copy of the complaint.

(c) A copy of the report shall be mailed to the complainant and to the inspector.

(d) The report shall state that the complaint either has or lacks sufficient evidence to support the allegations in the complaint.

(e) If the report states that the allegations lack sufficient evidence, the Engineering Division shall:

- (1) Advise the complainant in writing that the evidence was insufficient to support the allegations in the complaint.
- (2) Advise the complainant that the complaint may be reviewed by a committee of Board members appointed by the Chairman to determine whether the finding of the Engineering Division is correct.
- (3) Advise the complainant that the complainant must make a written request for the review and must state in the request the reasons why the complainant is of the opinion the Engineering Division's determination is incorrect.
- (4) If the complainant makes a written request for review by a committee of Board members, the chairman shall appoint the committee. The committee shall review the report and the complainant's documentation. If the committee finds that the allegations are unsupported by the evidence, the Engineering Division shall advise the complainant in writing that the committee has concurred with the Engineering Division's conclusion that the complaint lacks sufficient evidence to support the allegations in the complaint.

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1205 DISCIPLINARY HEARING**

If there are findings in the report or by the review committee that there is sufficient evidence to support the allegations in the complaint, the Board shall fix a time and

place for a disciplinary hearing and give notice to the licensee. The disciplinary hearing shall be held in accordance with G.S. 150B, Article 3A and this Section.

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1206 PRESIDING OFFICER**

In all contested case hearings before the Board, the Chairman of the Board shall serve as presiding officer. In the absence of the Chairman, the Vice-Chairman shall serve as presiding officer, or a presiding officer shall be elected by the Board.

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1207 PREHEARING CONFERENCE**

Upon the request of any party or upon the presiding officer's own motion, the presiding officer may hold a prehearing conference before a contested case hearing. A prehearing conference on the simplification of issues, amendments, stipulations, or other matters may be entered on the record or may be made the subject of an order by the presiding officer. Venue for purposes of a prehearing conference shall be determined in accordance with G.S. 150B-38(e).

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1208 CONSENT AGREEMENT**

(a) The Board's staff and the home inspector may attempt to resolve the complaint by means of a consent agreement. Such consent agreement may impose upon the licensee a penalty, or penalties, including the following: requiring the licensee to take training or educational courses, probation, letter of reprimand, suspension of license, or revocation of license.

(b) The proposed consent agreement shall then be presented to the Board at the next meeting. The Board may either accept the consent agreement as written, modify the consent agreement and send it back to the licensee for agreement, or reject the consent agreement.

*Authority G.S. 143-151.49(a)(13); 150B-38(h).*

### **.1209 FINAL BOARD ORDER**

(a) After the close of a contested case hearing, the Board shall meet and determine if the licensee engaged in the conduct alleged and the appropriate penalty, including requiring the licensee to take training or education courses, probation, letter of reprimand, or license suspension or revocation.

(b) If a final Board order is to suspend, revoke, place on probation, or refuse to issue a license, the order shall set forth any conditions that must be met in order to remove the suspension or probation, to reissue the license, or to issue the license.

(c) Contested case hearings shall be recorded either by a

recording system or a professional court reporter using stenomask or stenotype.

(d) Transcript costs incurred by the Board shall be paid by the the party or parties requesting a transcript. Any other costs incurred by the Board when using a professional court reporter shall be paid by the requesting party or parties.

(e) A 24-hour cancellation notice shall be required in all cases. The party or parties responsible for the cancellation shall be responsible for any cancellation fees charged by a professional court reporter.

(f) Transcripts of proceedings during which oral evidence is presented shall be made only upon request of a party. Transcript costs shall include the cost of an original for the Board. An attorney requesting a transcript on behalf of a party shall be a guarantor of payment of the cost. Cost shall be determined under supervision of the presiding officer who, in cases deemed to be appropriate by him, may require an advance security deposit to cover the prospective cost. The security deposit shall be applied to the actual cost and any excess shall be returned to the party that submitted it.

(g) Copies of tapes shall be available upon written request at cost of reproduction and postage.

(h) Copies of Board hearings tapes or non-Board certified transcripts therefrom shall not be part of the official record.

Authority G.S. 143-151.49(a)(13); 150B-38(h).

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 16 - BOARD OF DENTAL EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina State Board of Dental Examiners intends to amend rules cited as 21 NCAC 16B .0303; 16I .0001 - .0003, .0006; 16M .0001; 16R .0001, .0004; and adopt rule cited as 21 NCAC 16M .0003. Notice of Rule-making Proceedings was published in the Register on January 15, 1997.

**Proposed Effective Date:** August 1, 1998

A Public Hearing will be conducted at 3:00 p.m. on April 18, 1997 at the Office of North Carolina State Board of Dental Examiners, Chatham Bldg. of the Koger Executive Center, 3716 National Drive, Suite 221, Raleigh, NC.

#### Reason for Proposed Action:

21 NCAC 16B .0303 - to change the non-refundable fee for examination or re-examination from two hundred dollars (\$200.00) to five hundred dollars (\$500.00).

21 NCAC 16I .0001 - to require that the application for dental hygiene renewal certificate submitted to the Board be completed in full.

21 NCAC 16I .0002 - to change the required hours of continuing education for dental hygienists to six hours each

calendar year, two of which may include home study courses and to additionally require each dental hygienist to be currently certified in CPR.

21 NCAC 16I .0003 - to delete former requirement that CPR course hours were included as part of clock hours to fulfill continuing education requirement.

21 NCAC 16I .0006 - to change the penalty for a late filed renewal certificate application from ten dollars (\$10.00) to fifty dollars (\$50.00) and to charge a twenty-five dollar (\$25.00) fee for each duplicate license or certificate.

21 NCAC 16M .0001 - to change fees payable to the Board.

21 NCAC 16M .0003 - to require that all primary source verification requests be in writing and will be provided for a fee and not to exceed twenty-five dollars (\$25.00).

21 NCAC 16R .0001 - to change the required hours of continuing education for dentists to 15 hours each calendar year, three of which may include home study courses.

21 NCAC 16R .0004 - to define a retired dentist and a semi-retired dentist.

**Comment Procedures:** Any person desiring to present oral data, views, or arguments on the proposed rules must, at least 10 days prior to the proposed hearing, file a notice with the Board. Notice of such request to appear or failure to give timely notice may be waived by the Board in its discretion. Comments should be limited to five minutes. Any person permitted to make an oral presentation is directed to submit a written statement of such presentation to the Board prior to or at the time of such hearing. The Board's address is PO Box 32270, Raleigh, NC 27622-2270. Any person may file written submission of comments or argument at any time up to and including May 1, 1997.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

### SUBCHAPTER 16B - LICENSURE EXAMINATION: DENTISTS

#### SECTION .0300 - APPLICATION

#### .0303 EXAMINATION FEE

A fee of ~~two~~ five hundred dollars (~~\$200.00~~) (\$500.00) for each examination or re-examination must accompany the application. Such fee is non-refundable.

Authority G.S. 90-39; 90-48.

### SUBCHAPTER 16I - ANNUAL RENEWAL OF DENTAL HYGIENIST LICENSE

#### .0001 APPLICATIONS

An application form for a dental hygiene renewal certificate shall be adopted from time to time by the Board and shall be designed to obtain information that the Board

deems necessary and requisite. A renewal application must be submitted to the Board's office on or before January 1 of each year. All applications submitted to the Board must be completed in full.

Authority G.S. 90-227.

**.0002 CONTINUING EDUCATION REQUIRED**

As a condition of license renewal, each dental hygienist must complete a minimum of ~~12~~ six clock hours of continuing education ~~over a period of two each~~ calendar ~~years.~~ year. Two of the six hours clock hours may be acquired through home study courses. In addition, each dental hygienist must be currently certified in CPR.

Authority G.S. 90-225.1.

**.0003 APPROVED COURSES AND SPONSORS**

(a) Courses in satisfaction of this requirement must be directly related to clinical patient ~~care and shall include a course in CPR every two years.~~ care. Hours spent reviewing dental or dental hygiene publications or videos shall not count toward fulfilling the continuing education requirement.

(b) Approved continuing education course sponsors include:

- (1) providers recognized by the American Dental Association's Continuing Education Recognition Program, the Academy of General Dentistry, the American Dental Hygienists' Association, or components of such organizations;
- (2) North Carolina Area Health Education Centers;
- (3) educational institutions with dental or dental hygiene schools or departments; and
- (4) national, state or local societies or associations.

Authority G.S. 90-225.1.

**.0006 PENALTY FOR LATE FILING**

If the application for a renewal certificate, accompanied by the fee required, is not received by the Board before January 31 of each year, an additional fee of ~~ten fifty~~ ten dollars ~~(\$10.00)~~ (\$50.00) shall be charged for the renewal certificate. A fee of twenty-five dollars (\$25.00) shall be charged for each duplicate of any license or certificate issued by the Board.

Authority G.S. 90-227; 150B-19(5).

**SUBCHAPTER 16M - FEES PAYABLE**

**.0001 DENTISTS**

(a) The following fees shall be payable to the Board:

- (1) Application for general dentistry examination ~~\$200.00~~ \$500.00
- (2) Application for renewal of instructor's license and examination ~~renewal~~ \$ 75.00
- (3) Application for provisional license ~~\$75.00~~ \$100.00

- (4) Application for intern permit or renewal thereof ~~\$75.00~~ \$100.00
- (5) Certificate of license to a resident dentist desiring to change to another state or territory \$ 25.00
- ~~(6) License issued to a practitioner of another state or territory to practice in this State \$125.00~~
- (6) Duplicate license \$ 25.00
- (7) Reinstatement of license after retirement from practice in this State ~~\$125.00~~ \$225.00
- (8) Penalty fee for late renewal of any license or permit \$ 50.00

(b) Each dentist renewing his license to practice dentistry in North Carolina shall be assessed a fee of fifteen dollars (\$15.00), in addition to the annual renewal fee, to be contributed to the operation of the Caring Dentist Program.

Authority G.S. 90-28; 90-39; 90-48.

**.0003 PRIMARY SOURCE VERIFICATION FEE**

All primary source verification requests must be in writing. Primary source verifications shall be provided in writing only for a fee not to exceed twenty five dollars (\$25.00).

Authority G.S. 150B-19(5).

**SUBCHAPTER 16R - CONTINUING EDUCATION REQUIREMENTS: DENTISTS**

**.0001 CONTINUING EDUCATION REQUIRED**

As a condition of license renewal, every dentist must complete a minimum of ~~30~~ 15 clock hours of continuing education ~~over a period of two each~~ calendar ~~years.~~ year. Three of the 15 clock hours may be acquired through home study courses.

Authority G.S. 90-31.1.

**.0004 EXEMPTION FROM AND CREDIT FOR CONTINUING EDUCATION**

(a) Dentists may request exemption from continuing education requirements by submitting evidence in writing to the Board of retirement or semi-retirement from the practice of dentistry. A retired dentist is a dentist who never practices dentistry. A semi-retired dentist is a dentist who practices on an occasional basis not to exceed 100 clock hours in a calendar year. The Board will determine, on a case by case basis, whether a dentist may be exempted from the requirement of continuing education.

(b) In those instances where continuing education is waived and the exempt individual wishes to resume practice, the Board shall require continuing education courses in accordance with 21 NCAC 16R .0001 when re-classifying the licensee.

(c) Dentists may receive a maximum of 10 hours credit per year for continuing education when engaged in any of the following:

- (1) service on a full-time basis on the faculty of an educational institution with direct involvement in education, training, or research in dental or dental auxiliary programs; or
- (2) affiliation with a federal, state or county government agency whose operation is directly related to dentistry or dental auxiliaries.

Verification of credit hours shall be maintained in the manner specified in 21 NCAC 16R .0003.

Authority G.S. 90-31.1.

\*\*\*\*\*

## CHAPTER 42 - BOARD OF EXAMINERS IN OPTOMETRY

**N**otice is hereby given in accordance with G.S. 150B-21.2(c) that the North Carolina Board of Examiners in Optometry intends to amend rule cited as 21 NCAC 42B .0107. Notice of Rule-making Proceedings was published in the Register on December 16, 1996.

**Proposed Effective Date:** July 1, 1998

**A Public Hearing** will be conducted at 2:00 p.m. on April 23, 1997 at 109 N. Graham Street, Wallace, NC.

**Reason for Proposed Action:** To allow applicants graduating from approved schools or colleges of optometry to obtain licensure on a timely basis and without delays resulting from exam scheduling conflicts.

**Comment Procedures:** Persons interested may direct written comments to the North Carolina Board of Examiners in Optometry, 109 N. Graham Street, Wallace, NC, 28466.

**Fiscal Note:** This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

### SUBCHAPTER 42B - LICENSE TO PRACTICE OPTOMETRY

#### SECTION .0100 - LICENSE BY EXAMINATION

##### .0107 WRITTEN EXAMINATION

(a) Each applicant must submit evidence of having reached the recommended levels of acceptable performance on the National Board examinations given by the National Board of Examiners in Optometry on or after the April, 1978 administration in one of the following formats and under the following conditions prior to Board approval of his application to take the clinical practicum examination administered by the Board and shall authorize the release of

his official score report by the National Board to the Board prior to the approval by the Board of his application to take the clinical practicum examination.

- (1) April, 1978 through August, 1986 administrations: passing scores on Parts I, IIA, and IIB, with scores of not less than 75 in Section 7 (Pathology) and Section 9 (Pharmacology) on the Part IIB examination, and a score of not less than 75 on the National Board's Treatment and Management of Ocular Disease ("TMOD") examination.
- (2) April, 1987 through August, 1992 administrations: passing scores on the Basic Science examination and Clinical Science examination of the National Board, with scores of not less than 75 on the Ocular Disease/Trauma and Clinical Pharmacology sections of the Clinical Science examination, and a score of not less than 75 on the National Board's TMOD examination.
- (3) April, 1993 and thereafter: passing scores on Basic Science and Clinical Science Examinations of the National Board, with a score of not less than 75 on the Ocular Disease/Trauma component within the Clinical Science examination, and a score of not less than 75 on either the TMOD component within the Clinical Science examination, or on the equivalent stand-alone TMOD examination.

~~(4) January, 1996 and thereafter: passing scores on Part III (Patient Care) of the National Board will be required in addition to those examinations as set forth in Subparagraph (a)(3) of this Rule. Passing scores of at least 75 shall be submitted by or on behalf of each applicant on each of the three sections of Part III, to wit, Patient Management, Visual Recognition and Interpretation of Clinical Signs, and Clinical Skills. Further, the applicant must submit evidence of having demonstrated a proficiency equal or equivalent to a score of 75 in the following procedures within the Clinical Skills section as described in the National Board's Candidate Guide for the Clinical Skills section of Part III: General Case History/Patient Communication; Biomicroscopy; Goldman Applanation Tonometry; Gonioscopy; Pupil Testing; Binocular Indirect Ophthalmoscopy; and Fundus Lens Evaluation.~~

(b) For candidates with passing scores on at least one National Board examination part under different formats and time periods described in (a)(1) and (a)(2) of this Rule, the following equivalences shall apply:

- (1) Parts I and IIA are the equivalent of Basic Science.
- (2) Part IIB is the equivalent of Clinical Science without the inclusion of TMOD.

Authority G.S. 90-117.5; 90-118.

*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

**TITLE 13 - DEPARTMENT OF LABOR**

**Rule-making Agency:** *Department of Labor*

**Rule Citation:** *13 NCAC 13 .0213*

**Effective Date:** *March 11, 1997*

**Findings Reviewed and approved by:** *Beecher R. Gray*

**Authority for the rule-making:** *G.S. 95-69.11(11)*

**Reason for Proposed Action:** *To adjust fees for inspection and issuance of inspection certification for boilers and pressure vessels under the Uniform Boiler and Pressure Vessel Act.*

**Comment Procedures:** *Please submit your comments to Mr. John Simmons, NC Department of Labor, 4 W. Edenton St., Raleigh, NC 27601, FAX (919) 715-5629; Telephone (919) 733-2358 by June 2, 1997.*

**CHAPTER 13 - BOILER AND PRESSURE VESSEL**

**SECTION .0200 - ADMINISTRATION**

**.0213 FEES**

(a) A twenty ~~five~~ dollar (~~\$20.00~~) (\$25.00) certificate and processing fee for each boiler or pressure vessel inspected by an Insurance Inspector and found to be in compliance with the rules in this Chapter shall be paid to the North Carolina Department of Labor.

(b) An inspection and certificate fee shall be paid to the North Carolina Department of Labor for each boiler or pressure vessel inspected by a deputy inspector as follows:

(1) ~~External Inspection~~

- |                                 |                     |
|---------------------------------|---------------------|
| (A) <del>pressure vessels</del> | <del>\$25.00;</del> |
| (B) <del>boilers</del>          | <del>\$35.00;</del> |

(2) ~~Internal Inspection~~

- |  |                      |
|--|----------------------|
| (A) <del>vessel entry not required</del> | <del>\$50.00;</del>  |
| (B) <del>vessel entry required</del>     | <del>\$100.00.</del> |

(3) ~~Inspections performed outside of normal working hours shall be considered special inspections and the applicable fees shall apply, including the fee for working outside of normal working hours.~~

**Boilers - An inspection of a boiler where the heating surface is:**

	<b><u>External Inspection</u></b>	<b><u>Internal Inspection</u></b>
<u>Less than 500 sq. ft.</u>	<u>\$40.00</u>	<u>\$70.00</u>
<u>500 or more sq. ft. but less than 5000 sq. ft.</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>5000 or more sq. ft.</u>	<u>\$250.00</u>	<u>\$400.00</u>

**Pressure Vessels - An inspection of a pressure vessel, other than a heat exchanger, where the product of measurement in feet of the diameter or width, multiplied by its length is:**

	<b><u>External Inspection</u></b>	<b><u>Internal Inspection</u></b>
<u>Less than 20</u>	<u>\$30.00</u>	<u>\$35.00</u>
<u>20 or more but less than 50</u>	<u>\$40.00</u>	<u>\$50.00</u>
<u>50 or more but less than 70</u>	<u>\$70.00</u>	<u>\$100.00</u>

# TEMPORARY RULES

<u>70 or more</u>	<u>\$100.00</u>	<u>\$150.00</u>
<b>Heat Exchangers - An inspection of a heat exchanger, where the heating surface is:</b>		
<u>Less than 500 sq. ft.</u>	<u>\$40.00</u>	
<u>500 or more sq. ft. but less than 1000 sq. ft.</u>	<u>\$50.00</u>	
<u>1000 or more sq. ft. but less than 2000 sq. ft.</u>	<u>\$75.00</u>	
<u>2000 or more sq. ft. but less than 3000 sq. ft.</u>	<u>\$100.00</u>	
<u>3000 or more sq. ft.</u>	<u>\$125.00</u>	

## External Inspection

**Note:** Inspections performed outside of normal working hours shall be considered special inspections and the applicable fees shall apply, including the fee for working outside of normal working hours.

(c) A fee of ~~sixty seventy~~ dollars (~~\$60.00~~) (\$70.00) per hour, including travel time, plus expenses including travel, hotel and meals shall be paid to the North Carolina Department of Labor for each special inspection [.0101(27)].

(d) A fee of two hundred ~~forty fifty~~ dollars (~~\$240.00~~) (\$250.00) per one-half day (four hours) or any part of one-half day or ~~four hundred four hundred twenty~~ dollars (~~\$400.00~~) (\$420.00) for one day (four to eight hours) plus, in either case, all expenses including travel hotel, and meals shall be paid to the North Carolina Department of Labor for each shop inspection [.0101(26)].

(e) A fee of ~~two hundred eighty three hundred~~ dollars (~~\$280.00~~) (\$300.00) per one-half day (four hours) or any part of one-half day or four hundred ~~sixty eighty~~ dollars (~~\$460.00~~) (\$480.00) for one day (four to eight hours), plus, in either case, all expenses including travel hotel, and meals shall be paid to the North Carolina Department of Labor for each nuclear inspection.

(f) A fee of three hundred ~~twenty fifty~~ dollars (~~\$320.00~~) (\$350.00) per one-half day (four hours) or any part of one-half day or five hundred ~~thirty fifty~~ dollars (~~\$530.00~~) (\$550.00) for one day (four to eight hours), plus, in either case, all expenses including travel hotel, and meals shall be paid to the North Carolina Department of Labor for audits.

(g) Fees for inspections and audits performed by the Director, his designee, or a deputy inspector outside of normal working hours or in excess of eight hours per inspection visit shall include an additional thirty dollar (\$30.00) fee per hour in addition to the normal inspection or audit fee.

(h) Printed information derived from the database for boilers and pressure vessels maintained by the Division, is available for public scrutiny. Charges for providing this service shall be payable upon receipt of invoice to the North Carolina Department of Labor. Charges for this service are as follows:

- (1) Requests for database information for which the Division has created the information selection criteria and printout format for its own use, and which can be furnished without the need for special programming will be furnished for twenty dollars (\$20.00) plus twenty-five cents (\$0.25) per page.
  - (2) Requests for database information which requires special selection criteria or printout format, and which requires the need for special programming services to derive the requested information or format, will be furnished for seventy-five dollars (\$75.00) plus twenty-five cents (\$0.25) per page.
- (i) Copies of inspection reports or other inspection records may be provided upon written request. Copies of these records are available for fifteen dollars (\$15.00) per request and twenty-five cents (\$0.25) per page.

*History Note: Authority G.S. 95-69.11;*

*Eff. May 29, 1981;*

*Amended Eff. January 1, 1995; March 2, 1992; September 1, 1986;*

*Temporary Amendment Eff. March 11, 1997.*

## TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES

.0327; 2E .0101 - .0102, .0201, .0203 - .0205, .0501, .0604

**Effective Date:** *June 1, 1997*

**Rule-making Agency:** *State Board of Community Colleges*

**Findings Reviewed and Approved by** *Julian Mann*

**Rule Citation:** *23 NCAC 1A .0001; 2C .0108, .0305, .0604; 2D .0103, .0201 - .0203, .0301, .0323 - .0324,*

**Authority for the rule-making:** *G.S. 115D-1; 115D-2;*

115D-3; 115D-5; 115D-20; 115D-31; 115D-39; 115D-54; 115D-58.5; 116-143.1; P.L. 93-508; S.L. 1993, c.321, s. 109; S.L. 1993, 2nd Session, c. 769, p.18, s. 18; S.L. 1995, c. 625

**Reason for Proposed Action:** *To transfer the Community College System's educational calendar from a quarter system to a semester system.*

**Comment Procedures:** *All persons interested in these Rules may submit statements in writing from the date of this notice until June 2, 1997, delivered or mailed to Dr. Lloyd V. Hackley, President, North Carolina Community College System, 200 W. Jones Street, Raleigh, NC 27603-1379.*

## CHAPTER 1 - GENERAL PROVISIONS

### SUBCHAPTER 1A - ORGANIZATION

#### .0001 DEFINITIONS

The following terms shall have the following meanings throughout this Title unless the context of a specific rule requires a different interpretation:

(1) Credit Hours:

- (a) Credit of one ~~quarter~~ semester hour is awarded for each ~~11~~ 16 hours of "class work." Class work is lecture and other classroom instruction. Class work is under the supervision of an instructor.
- (b) Credit of one ~~quarter~~ semester hour is awarded for each ~~22~~ 32 or 48 hours of "laboratory" work. Laboratory involves demonstration by instructor, experimentation, and ~~practice~~ application by students. Laboratory is under the supervision of an instructor.
- (c) Credit of one ~~quarter~~ semester hour is awarded for each ~~33~~ 48 hours of "~~manipulative laboratory or shop~~" or "clinical practice." ~~Manipulative laboratory, shop or clinical~~ Clinical practice involves development of manual skills and practice is a structured, faculty-directed learning experience in a health sciences program which develops job proficiency. Manipulative laboratory, shop or clinical Clinical practice requires significant preparation, coordination, and scheduling by the faculty and is under the supervision of an instructor, instructor or preceptor who is qualified for the particular program.
- (d) Credit of one ~~quarter~~ semester hour is awarded for ~~110~~ 160 hours of "work experience" such as cooperative education, practicums, and internships. Work experience involves the development of job skills by providing the student with an

employment situation that is directly related to, and coordinated with, the educational program. Student activity in work experience is planned and coordinated by a college representative, and the employer is responsible for the control and supervision of the student on the job.

- (2) ~~Non-Credit Hours. Practice hours are non-credit hours, involve the student in a practice session to develop skills, and are under the supervision of an instructor.~~
- (3) (2) Full-time Student means a student enrolled in 12 or more credit hours. For the summer session, Full-time Student means a student enrolled in nine or more credit hours.
- (4) (3) Part-time Student means a student enrolled in less than 12 credit hours.
- (5) (4) FTE means one full-time equivalent (FTE) student ~~and represents one student enrolled in 16 student membership hours per week for 11 weeks or 176 student membership hours per quarter, or 256 student membership hours per semester (based on a typical semester of 16 weeks x 16 student membership hours per week).~~
- (6) (5) Student Membership Hour means one hour of scheduled ~~class~~ class, shop or laboratory for which the student is enrolled. A college shall provide a minimum of 50 minutes of instruction for each scheduled class hour.
- (7) (6) Average Annual Curriculum FTE or four-quarter average FTE means the average of the summer, total of the student hours in membership for fall, fall, winter, and spring quarter semesters FTE, divided by 512 (256 student hours per semester x 2).
- (7) Annual Continuing Education (non-credit) FTE means the total of the student hours in membership for the three reporting periods divided by 688 (based on two typical semesters of 16 weeks and a typical summer term of 11 weeks). The three reporting periods are fall semester, spring semester, and the summer term.
- (8) Budget Full-time Equivalent (B/FTE). B/FTE means the number of FTE which determines a college's operating budget.
- (9) Equipment Full-time Equivalent (E/FTE). E/FTE means a weighted average of the B/FTE which determines the amount of funds allocated to a college for equipment.
- (10) Library Full-time Equivalent (L/FTE). L/FTE means a weighted average of the B/FTE which determines the amount of funds allocated to a college for library books and non-equipment learning resources.
- (11) College means any institution established pursuant to G.S. 115D except for Applied Technology Centers.

*Editor's Note: Substance of 23 NCAC 2D.0317 and 2E.0104 was incorporated into this Rule.*

*History Note: Authority G.S. 115D-5; 115D-54; S.L. 1995, c. 625;  
Eff. September 1, 1993;  
Temporary Amendment Eff. June 1, 1997.*

## CHAPTER 2 - COMMUNITY COLLEGES

### SUBCHAPTER 2C - COLLEGES: ORGANIZATION AND OPERATIONS

#### SECTION .0100 - TRUSTEES AND COLLEGES

##### **.0108 EDUCATIONAL GUARANTEE**

Local boards of trustees may adopt educational guarantee policies for their colleges. Any educational guarantee policy adopted by a board of trustees shall:

- (1) Be developed in an atmosphere that provides maximum input from faculty, staff, students, employers, university representatives, and community leaders.
- (2) Identify the programs or activities to be guaranteed. This may include the entire program or specific courses. The goal of the system is to include all programs at all community colleges.
- (3) Define the skills, knowledge, or credits to be guaranteed. This may include the guarantee to transfer earned credits taken in transfer programs and the guarantee of technical knowledge and skills needed for successful employment in occupations for graduates. ~~graduates of vocational and technical programs.~~
- (4) Define the population of students who will receive guarantees. This shall include the identification of students, both full-time and part-time, for ~~which~~ whom the guarantee applies.
- (5) Define any special conditions of the guarantee. This shall include a time limit and grade achievement.
- (6) Describe how the guarantee may be invoked and how it will be honored.
- (7) Define the educational services or other benefits a student who seeks the guarantee will receive. This may include reimbursement from non-state funds, re-enrollment, tutoring, or counseling.
- (8) State that re-enrolled students shall not pay tuition or fees associated with re-enrollment or other related services. Budget FTE shall not be earned for re-enrolled students.
- (9) Set forth the process to be used by students to invoke the guarantee and the steps to be used by the college to improve the programs in question.

*History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;  
Eff. December 1, 1995;*

Temporary Amendment Eff. June 1, 1997.

#### SECTION .0300 - STUDENTS

##### **.0305 EDUCATION SERVICES FOR MINORS**

(a) The State Board shall encourage individuals to complete high school before seeking admission to a college.

(b) A minor, 16 years old or older, may be considered a student with special needs and may be admitted to an appropriate program at a college if the local public or private educational agency determines that admission to the program is the best educational option for the student and the admission of such student to the program is approved by the college. This requirement may be waived if the student has been out of school at least six months and the application is supported by a notarized petition of the student's parent, legal guardian, or other person or agency having legal custody and control. The petition shall certify the student's residence, date of birth, date of leaving school, and the petitioner's legal relationship to the student.

(c) A high school student, 16 years old or older, based upon policies approved by the local public or private board of education and board of trustees, may be admitted to appropriate courses, except adult high school, concurrently under the following conditions:

- (1) Upon recommendation of the chief administrative school officer and approval of the president of the college;
- (2) Upon approval of the student's program by the principal of the school and the president of the college; and
- (3) Upon certification by the principal that the student is taking at least three high school courses and is making appropriate progress toward graduation.

(d) High school students, taking courses pursuant to Paragraphs (b) and (c) of this Rule, shall not displace adults but may be admitted any quarter semester on a space-available basis to any curriculum or continuing education course. Once admitted, they shall be treated the same as all other students.

(e) Local boards of trustees and local school boards may establish cooperative programs in areas they serve in order to provide college courses to qualified high school students with college credits to be awarded to those high school students on successful completion of the courses, subject to approval by the State Board.

(f) Except as authorized by G.S. 115D-20(4), colleges shall not start classes, offer summer school courses, or offer regular high school courses for high school students.

(g) A college may make available to persons of any age non-credit, non-remedial, enrichment courses during the summer period. ~~quarter~~. These courses shall be self-supporting and shall not earn credit toward a diploma, certificate, or degree at the college or high school.

(h) At the request of the director of a training school having custody of juveniles committed to the Division of Youth Services, Department of Human Resources, a college

may make available to such juveniles any course offered by that college if they meet the course admission requirements. The director's request shall include the director's approval for each juvenile to enroll in the course. Courses made available to such juveniles shall follow the approval process for immured groups as set forth in 23 NCAC 2E .0403.

*History Note:* Authority G.S. 115D-1; 115D-5; 115D-20; S.L. 1995, c. 625;  
*Eff. January 1, 1987;*  
*Amended Eff. September 1, 1993;*  
*Temporary Amendment Eff. June 1, 1997.*

## SECTION .0600 - COLLEGE EVALUATION

### .0604 PROGRAM REVIEW

(a) ~~Each college shall monitor the quality and viability of all its programs and services. Each curriculum program and the occupational extension program shall be reviewed annually. Colleges shall provide information to the Department of Community Colleges on program enrollment and cost; student progress, achievement and outcomes; and employer satisfaction.~~

(b) ~~Technical and vocational curriculum programs shall meet the following standards for performance:~~

- ~~(1) the standard required by an outside licensure or accrediting agency for passing rates on licensure or certification examinations, where applicable; and~~
- ~~(2) a satisfactory level on at least five of the following eight required elements:~~
  - ~~(A) a three year annual average enrollment of at least 10 students, unduplicated headcount;~~
  - ~~(B) student goal accomplishment for program completion;~~
  - ~~(C) student goal accomplishment for other student goals;~~
  - ~~(D) program completer satisfaction with program;~~
  - ~~(E) early leaver satisfaction with program;~~
  - ~~(F) program completer employment rate;~~
  - ~~(G) early leaver employment rate;~~
  - ~~(H) employer satisfaction.~~

~~The performance level on Parts (b)(2)(B) through (b)(2)(H) of this Rule shall be no more than 15 percent below the system average and shall be determined by an annual survey conducted by each college based on a standard set of questions developed by the Department.~~

~~(c) The college transfer program performance level shall be no more than 15 percent below the system average grade point average earned after two semesters in a four-year institution for students who completed 90 or more quarter credit hours at the community college.~~

~~(d) Programs which do not meet these standards will be subject to further review to document temporary or permanent conditions which shall be taken into account to justify offering the program. If further review fails to provide a justification for the program or to lead to~~

~~improvement so that the program meets the standards, the program shall be terminated.~~

*Editor's Note: Substance of this Rule is contained in 23 NCAC 2E.0205.*

*History Note:* Authority G.S. 115D-5; 1993 S.L. c. 321, s. 109;  
*Eff. February 1, 1990;*  
*Amended Eff. August 1, 1995; September 1, 1993;*  
*Temporary Repeal Eff. June 1, 1997.*

## SUBCHAPTER 2D - COMMUNITY COLLEGES: FISCAL AFFAIRS

### SECTION .0100 - SALARIES

#### .0103 EDUCATIONAL LEAVE WITH PAY

(a) The term "educational leave" refers to the release from duties or time normally required of a full-time employee in carrying out the full load of responsibilities assigned to further his education.

(b) Each local board of trustees shall adopt an educational leave policy for employees. State funds may be used to pay employee salaries while they are on educational leave if the following criteria are incorporated in the local board of trustees' policy:

- (1) The employee is employed full-time on a 9-, 10-, 11-, or 12-month basis.
- (2) The employee must be under contract to the college for the next academic year.
- (3) Educational leave will not exceed one ~~university~~ semester per calendar year.
- (4) An employee who fails to honor the contract stipulated in Subparagraph (b)(2) of this Rule shall be required to repay the amount expended for the educational leave. If the employee fulfills a portion of the contract before failing to honor the contract, repayment shall be based on a pro-rata portion (e.g., if an employee works 4 months of a 12-month contract, a repayment of 66.7 percent of the educational leave would be required).

*History Note:* Authority G.S. 115D-5; 115D-20; 115D-31; S.L. 1995, c. 625;  
*Eff. February 1, 1976;*  
*Amended Eff. September 1, 1993; August 17, 1981; January 6, 1978;*  
*Temporary Amendment Eff. June 1, 1997.*

### SECTION .0200 - STANDARD STUDENT FEES

#### .0201 AUTHORITY TO ESTABLISH TUITION AND FEES

(a) Authority to Charge. All tuition and registration fees charged to students for applying to or attending any college of the system must be approved by the State Board. No

tuition rate or fee schedule shall be charged without appropriate resolution of the State Board specifying the purpose for which the fee is charged.

(b) Time Due and Deferred Payment. Tuition, registration fees and required academic fees are due and payable at the time of the student's registration. The college shall, with the approval of the local governing board, prescribe written procedures to permit short-term deferred payment or payment in installments; provided, however, that no student shall be permitted to graduate or to register for a new ~~quarter~~ semester unless payment of such outstanding balance has been guaranteed in writing by a financially responsible person or organization. Colleges are authorized to withhold transcripts of grades pending resolution of the outstanding obligations. This statement shall not be construed to prohibit a college's local governing board from adding more stringent provisions.

(c) Establishing Additional Fees:

(1) Generic Fees. Generic fees are fees charged to a group of students, such as students in a specific program or to all students, e.g., lab fees, computer usage fees, publications fees, equipment use fees, etc. Activity and parking fees are discussed in Rule .0202(d) of this Section.

(A) In the event that the president and the governing board of a college determine that the college needs to charge a generic student fee other than the fees already authorized by state statute or State Board regulation, the president of the college shall file with the State Board through the System President, a request for authorization which shall include the following documentation:

- (i) a resolution of the local governing board requesting authorization of the fee, stating the exact rate of payment proposed; and
- (ii) a brief explanation and justification stating the purpose of the fee.

(B) A generic fee requires both local and State Board approval.

(C) Any additional fee established by a college which is approved by the State Board is considered a separate charge to curriculum students and shall not be credited as part payment of tuition.

(D) Receipts collected from any special student fee shall be deposited as State Board regulation shall direct, consistent with state law.

(E) Nothing in any rule shall be construed to condone or to authorize any practice of depositing receipts from any student tuition and/or student fees in a special fund account at a college, except the student activity fee receipt.

(F) Generic fees may not be used for any

purpose other than that for which the fee was approved, e.g., computer equipment could not be purchased for staff members using generic fee receipts.

(G) Students shall be informed of all approximate fees for a course at the time they enroll.

(2) Specific Fees. Specific fees are those fees charged to students for items required for specific courses which are considered to be in addition to the normal supplies and materials the college would provide. Examples of supplies and materials required which the college would not normally be expected to provide would include tools, uniforms, insurance, and certification fees.

(A) Specific fees must be approved by the college Board of Trustees. Such fees shall reflect the actual cost of items received by the student.

(B) All fees must be deposited into a proper college account and all disbursements must be made by the college business office.

(C) In the event that there is any question as to whether a fee is generic or specific, the guidelines for generic fees, which require both local and state board approval, are applicable.

(3) Students shall be informed of all approximate fees for a course at the time they enroll. Such fees shall be kept to a minimum consistent with the State Board philosophy to keep student costs as low as possible.

*History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; S.L. 1995, c. 625;*

*Eff. February 1, 1976;*

*Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981; January 14, 1980.*

*Temporary Amendment Eff. June 1, 1997.*

## **.0202 CURRICULUM**

(a) Tuition:

(1) Student Residence Classification. The classification of students for tuition purposes shall be made pursuant to G.S. 116-143.1.

(2) Tuition Rates In-State:

(A) A general and uniform tuition rate is established by the State Board as set by the Legislature for full-time curriculum students per ~~quarter~~ semester for North Carolina residents.

(B) A North Carolina resident who is a part-time student shall pay a per credit hour rate for curriculum instruction, as established by the State Board, for such tuition in any ~~quarter~~ semester as set by the Legislature.

- (3) Learning Laboratory. No tuition fees charged.
- (4) Tuition Creditable Upon Transfer of Student. When a student has paid the required tuition at a college and is given permission to transfer to another college within the system during the academic quarter semester for which the tuition was paid, the college from which the student transfers shall issue to him a statement certifying the amounts of tuition that have been paid, and the college to which he is transferring shall accept such certificate in lieu of requiring payment again. [Also, see 23 NCAC 2D.0323(b)(2) which provides information regarding reporting student hours in membership.]
- (5) Tuition Student Enrolled in More Than One College. Where a student desires to enroll for the same quarter semester at two or more colleges of the system, the total amount of tuition and fees may be paid to the student's "home" college. "Home" college is defined as the college which the student initially registers for classes. The home college shall, in that case, assume responsibility for arranging with the other college or colleges for enrolling the student in appropriate classes without further charge. Such arrangement shall be made by exchange of letters between the colleges involved. Student membership hours for instruction received shall, in any event, be reported by the college in which the respective instruction occurred.
- (6) Tuition Rates Out-of-State:
  - (A) Any full-time curriculum student who is an out-of-state resident shall pay tuition fees as established by the State Board for each quarter semester as set by the Legislature.
  - (B) An out-of-state resident who is a part-time student shall pay a per credit hour rate for curriculum instruction as established by the State Board as set by the Legislature.
- (7) Tuition Exemptions:
  - (A) Individuals taking courses in the categories set forth in G.S. 115D-5(b) shall be exempt from tuition.
  - (B) College Staff Members. Full-time college staff members may enroll in one curriculum or extension course per quarter semester, as well as the summer academic period, in the system without payment of tuition or registration fee.
  - (C) Basic Law Enforcement Training Program (BLET) for law enforcement officers. All law enforcement officers employed by a municipal, county, state, or federal law enforcement agency when taking courses in a state-mandated BLET training program, are exempt from tuition payment. Also, trainees may be exempt from BLET class

tuition if a letter of sponsorship from an appropriate law enforcement agency is on file at the college.

(b) Pre-Enrollment Deposit. When a prospective student has made application for admission and has been accepted, the student may be required to pay an advance deposit up to a maximum of fifteen dollars (\$15.00). This advance payment is not refundable unless the class(es) fails to materialize. This advance payment shall be deposited to the State Treasurer and credited against the full tuition due from the student during the regular registration period.

(c) Late Enrollment Fee. A late enrollment fee up to five dollars (\$5.00) may be charged curriculum students registering after the specific closing date of registration, with such fees becoming state funds.

(d) Student Activity Fee. Colleges may establish a student activity fee which may include a parking fee or a scheduled vehicle registration fee. Students shall not be assessed a parking fee, a vehicle registration fee, or a similar fee in addition to the established student activity fee. The maximum amount that may be charged for the student activity fee shall not exceed twenty-eight dollars (\$28.00) per student per fiscal year. Funds derived from collection of a student activity fee shall be accounted for and expended under standing procedures and regulations adopted by the local governing board of the college. Any expenditure from the fund must directly benefit students.

(e) Tuition Refunds.

(1) A refund shall not be made except under the following circumstances:

- (A) A 100 percent refund shall be made if the student officially withdraws prior to the first day of class(es) of the academic quarter semester as noted in the college calendar. Also, a student is eligible for a 100 percent refund if the class in which the student is officially registered fails to "make" due to insufficient enrollment.
- (B) A 75 percent refund shall be made if the student officially withdraws from the class(es) prior to or on the official 20 percent point of the quarter semester.
- (C) For classes beginning at times other than the first week (seven calendar days) of the quarter semester a 100 percent refund shall be made if the student officially withdraws from the class prior to the first class meeting. A 75 percent refund shall be made if the student officially withdraws from the class prior to or on the 20 percent point of the class.
- (D) For contact hour classes, apply as Part ~~(e)(1)(C)~~ (e)(1) of this Rule except use 10 calendar days from the first day of the class(es) as the determination date.

(2) To comply with applicable federal regulations regarding refunds, federal regulations will

supersede the state refund regulations stated in this Rule.

- (3) Where a student, having paid the required tuition for a quarter, semester, dies during that quarter semester (prior to or on the last day of examinations of the college the student was attending), all tuition and fees for that quarter semester may be refunded to the estate of the deceased.
- (4) For a class(es) which the college collects receipts which are not required to be deposited into the State Treasury account, the college shall adopt appropriate local refund policies.

*History Note: Filed as a Temporary Amendment Eff. November 1, 1993 for a period of 180 day or until the permanent rule becomes effective, whichever is sooner; Authority G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508; S.L. 1995, c. 625; Eff. February 1, 1976; Amended Eff. June 1, 1994; September 1, 1993; August 1, 1988; December 1, 1984; Temporary Amendment Eff. June 1, 1997.*

### **.0203 EXTENSION PROGRAMS**

(a) Registration fees for Non-Curriculum Extension Instruction. For purposes of administration of this Rule, non-curriculum extension instruction means all instruction organized, supervised, or delivered outside the regular curriculum programs offered by the college.

- (1) A registration fee, as established by the State Board, as set by the Legislature shall be charged for each occupational extension class.
- (2) Each local board is delegated the responsibility to establish registration fees for Community Service Programs (academic, practical skills, avocational, and cultural/civic activities).
- (3) All recreational courses must be self-supporting. Colleges are required to collect and deposit to a local account fees and other contributions to support entirely the costs of all recreational extension courses taught. Also note Paragraph (b) of Rule .0325 of this Subchapter regarding the reporting of student membership hours for this area.
- (4) A registration fee shall be charged for each extension class of 17 weeks or less. A registration fee shall be charged each 13 weeks for extension classes lasting longer than 17 weeks.
- (5) Registration Fee Exemptions:
  - (A) Special Extension Training Programs. No registration fees shall be charged students enrolling for special extension training programs that directly relate to job performance set forth in G.S. 115D-5(b).
  - (B) College Staff Members. Full-time college staff members may enroll in one extension or curriculum course per quarter semester in

the system without registration fee or tuition charges.

(b) Self-Supported Courses. A college shall have the authority to sponsor self-supporting courses, [see 23 NCAC 2E .0101], deposit income (if any) to a local account, and pay all expenses from such local account. Each student is required to pay a pro-rata share of the cost of a self-supporting class. Since the pro-rata share assumed is not considered a registration fee, no individual or group is exempt under G.S. 115D-5(b) from paying a proportional share of the identified cost of the class.

(c) Driver Education. Colleges are required to collect a student fee as established by the local board of trustees for the adult driver education training course offered through the community service program.

(d) Registration Fee Refunds. A refund shall not be made except under the following circumstances:

- (1) A student who officially withdraws from an extension class(es) prior to the first class meeting shall be eligible for a 100 percent refund. Also, also, a student is eligible for a 100 percent refund if an applicable class fails to "make" due to insufficient enrollment.
- (2) After the respective class begins, a 75 percent refund shall be made upon the request of the student if the student officially withdraws from the class prior to or on the 20 percent point of the scheduled hours of the class.  
Note: This Rule is applicable regardless of the number of times the class meets or the number of hours the class is scheduled to meet.
- (3) For contact hour classes, apply Subparagraphs (d)(1) and (d)(2) of this Rule except use 10 calendar days from the first day of the class(es) as the determination date.
- (4) For a class(es) which the college collects receipts which are not required to be deposited into the State Treasury account, the college shall adopt appropriate local refund policies.
- (5) Where a student, having paid the required registration fee for a quarter, semester, dies during that quarter semester (prior to or on the last day of examinations of the college the student was attending), all registration fees for that quarter semester may be refunded to the estate of the deceased.

*History Note: Filed as a Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625; Eff. February 1, 1976; Amended Eff. June 1, 1994; September 1, 1993; August 1, 1983; August 17, 1981; Temporary Amendment Eff. June 1, 1997.*

### **SECTION .0300 - BUDGETING: ACCOUNTING:**

FISCAL MANAGEMENT

**.0301 OPERATING BUDGET REQUESTS:  
DISTRIBUTION OF FUNDS**

(a) Projections of full-time equivalent (FTE) students will be based on the following:

- (1) Curriculum FTE projections will be based on the ~~three-quarter~~ academic year (~~fall, fall and winter, spring semesters~~).
- (2) Continuing education FTE projections will be based on the latest spring, summer, and fall fall, and winter four-quarter average. FTE figures. Annual continuing education FTE is determined by totaling the student hours in membership for the three reporting periods and dividing by 688. Note definition of annual continuing education FTE in 23 NCAC 1A .0001(8).
- (3) Projections will be made, program by program, as stated in Subparagraphs (a)(1) and (2) of this Rule. If the actual FTE for the ~~quarters semesters~~ needed are not available, the latest actual ~~quarter semester~~ will be multiplied by the latest five-year retention ratio to determine the appropriate estimates. Retention ratios are FTE comparisons between ~~Fall Quarter Semester~~ and the ~~Winter and Spring Quarters Semester~~ which are used to predict FTE totals when actual figures are not available.
- (4) The State Board may adjust the projections based on additional factors brought to its attention.
- (5) The State Board will adopt an official projection of FTE.

(b) Appropriation Requests:

- (1) Continuation Budget Requests. The continuation budget request will be based on the number of FTE and amount per FTE currently appropriated and increases in the continuation budget as directed by the Office of State Budget and Management. Also included in the continuation budget requests will be continuing categorical programs. Categorical programs are educational programs funded for specific purposes such as new and expanding industry as opposed to general formula programs such as occupational extension.
- (2) Expansion Budget Requests. The expansion budget request may consist of, but is not limited to, the following items:
  - (A) an adjustment in the number of FTEs in existing programs based on the difference between the official FTE projections of the State Board and the existing level of FTEs requested in the continuation budget;
  - (B) an adjustment in expenditure per FTE;
  - (C) additional funding for new and special programs of instruction.

(c) State Board Reserve. A reserve will be requested from the General Assembly and shall be retained by the State Board for the purpose of making later allocations for

enrollment growth, innovative programs, new concepts, etc.

(d) Formula distribution of funds for the current operation budget. Funds appropriated to the State Board for current operation shall be allocated to the system colleges in accordance with formulas and procedures established by the State Board, or as directed by the General Assembly. Formulas and procedures to allocate funds shall be published in the ~~department's~~ Department's Accounting Procedures Manual.

(e) JTPA Administrative Allotment. Student class hours for class size projects funded by the Job Training Partnership Act (JTPA) may not be included in the full-time equivalent (FTE) formula for earning budget/FTE. Administrative funds for operating these class size projects shall be allocated on the same basis as all other administrative formula funds.

*History Note: Filed as a Temporary Amendment Eff. August 25, 1988 for a period of 180 days to expire on February 20, 1989;*

*Filed as an Emergency Amendment Eff. July 1, 1978 for a period of 120 days to expire on October 29, 1978;*

*Authority G.S. 115D-3; 115D-5; 115D-54; S.L. 1995, c. 625;*

*Eff. February 1, 1976;*

*Amended Eff. September 30, 1977;*

*Emergency Amendment Made Permanent Eff. July 24, 1978;*

*Amended Eff. September 1, 1993; April 1, 1989; June 1, 1987; July 1, 1983;*

*Temporary Amendment Eff. June 1, 1997.*

**.0323 REPORTING OF STUDENT HOURS IN  
MEMBERSHIP FOR CURRICULUM  
CLASSES**

(a) Academic ~~Quarter~~ Semester. The academic ~~quarter semester~~ for all credit courses shall ~~normally be not less than 11 school weeks or 55 class days, whichever is greater.~~ The academic ~~quarter~~ shall be designed so that all classes may be scheduled to include the number of instructional hours shown in the college catalog and the approved curriculum program of study compliance document and reported for FTE purposes. Instructional hours include scheduled class and laboratory sessions as well as examination sessions. ~~Alternate Lengths for quarters~~ Length of semesters or courses may ~~be used vary~~ as long as credit hours are assigned consistent with 23 NCAC ~~2E-0104~~ 1A .0001 and as long as membership hours are reported consistent with the other provisions of this Rule. Also, note 23 NCAC 2D .0327 which identifies the reporting periods for submission of Institution Class Reports.

(b) Regularly-Scheduled Classes.

(1) A class is regularly scheduled if it meets all of the following criteria:

- (A) assigned definite beginning and ending time;
- (B) specific days the class meets is predetermined;
- (C) specific schedule included on the Institution

Master Schedule or other official college documents;

- (D) class hours assigned consistent with college catalog and curriculum standard requirements;
- (E) identified class time and dates the same for all students registered for the class excluding clinical or cooperative;
  - (i) Classes which have a regularly scheduled lecture section and a non-regularly scheduled laboratory section will satisfy this criteria. The census date (30% point) must be determined from the regularly scheduled portion of the class. Verification of student participation in the laboratory section of the class must be available for review.
  - (ii) A student is considered absent if that student did not attend during the specified times or days the class was scheduled to meet.
- (2) A student is considered to be in class membership when the student meets all the following criteria:
  - (A) enrolled as evidenced by payment of the applicable tuition and fees, or obtained a waiver as defined in G.S. 115D-5(b);
  - (B) attended one or more classes prior to or on the 30 percent point in the class;
  - (C) has not withdrawn or dropped the class prior to or on the 30 percent point.
- (3) Student Membership Hour. A student membership hour is one hour of scheduled ~~class~~ ~~class, shop~~ or laboratory for which the student is enrolled. A college shall provide a minimum of 50 minutes of instruction for each scheduled class hour. A college must provide sufficient time between classes to accommodate students changing classes. A college may not report more hours per student than the number of class hours scheduled in the ~~college catalog approved curriculum program of study compliance document, or other official college documents.~~
- (4) Calculation of Student Membership Hours for Regularly Scheduled Classes. Student membership hours are obtained by multiplying the number of students in membership at the 30 percent point in the class by the total number of hours the class is scheduled to meet for the ~~quarter semester~~ as stated in the ~~college catalog or other official college documents, and the approved curriculum program of study compliance document.~~
- (5) Maintenance of Records of Student Membership Hours. Accurate attendance records must be maintained for each class through the 30 percent point of the class. Colleges are encouraged to maintain attendance records for the duration of all classes. Attendance records are to be signed by the

instructor or lead instructor, verifying their accuracy, and are to be maintained by the college until released from all audits (see the Public Records Retention & Disposition Schedule for Institutions in the Community College System). Student membership hours shall be summarized in the Institution's Class Report and certified by the president or designee. For classes identified as non-traditional delivery (see Subparagraph (e)(1) of this Rule for additional information), documentation of student contact prior to the 30 percent point must be maintained in the same manner as the attendance records mentioned in this Rule.

(c) Non-Regularly Scheduled Classes.

- (1) A non-regularly scheduled class may include any or all of the following:
  - (A) a class where a definitive beginning and ending time is not determined;
  - (B) a class offered in a learning laboratory type setting (see Subparagraph (b)(6) of Rule .0324 of this Subchapter for definition of learning laboratory);
  - (C) a class self-paced in that the student progresses through the instructional materials at his/her own pace, and can complete the courses as soon as he/she has successfully met the educational objectives. Classes offered as independent study are generally offered in this manner;
  - (D) a class in which a student may enroll during the initial college registration period or in which the student may be permitted to enroll at any time during the ~~quarter;~~ semester;
  - (E) any class not meeting all criteria for a regularly scheduled class, as shown in Subparagraph (b)(1) of this Rule, is considered to be a non-regularly scheduled class for reporting purposes. Note classes defined as non-traditional (see Paragraph (e) of this Rule) which are identified as a separate student hour reporting category and are not subject to the above provisions in Paragraph (c).
- (2) Definition of Student Membership. A student is considered to be in class membership when the student meets the following criteria:
  - (A) enrolled as evidenced by payment of the applicable tuition and fees, or obtained a waiver as defined in Paragraph (a) of Rule .0202 of this Subchapter; and
  - (B) attended one or more classes.
- (3) Definition of a Student Contact Hour. For non-regularly scheduled classes, student contact hours, actual hours of student attendance in a class ~~class, shop,~~ or lab are to be reported for each

student determined to be in membership. Sixty minutes shall constitute an hour.

(4) Calculation of Student Contact Hours for Non-Regularly Scheduled Classes. For these classes, actual time of class attendance is to be reported; 60 minutes shall constitute an hour. Student contact hours for these classes are the sum of all the hours of actual student attendance in a class in a given ~~quarter~~ semester.

(5) Maintenance of Records of Student Contact Hours. Accurate attendance records must be maintained for each class of the nature described in this Rule through the entire ~~quarter~~ semester. Attendance records are to be signed by the instructor or lead instructor, verifying their accuracy, and are to be maintained by the college until released from all audits (see the Public Records Retention & Disposition Schedule for Institutions in the Community College System). Student contact hours shall be summarized in the Institution's Class Report and certified by the president or designee.

(d) Skills Laboratory or Computer Tutorial Laboratory. Individualized instructional laboratories are similar to learning laboratories (see Subparagraph (b)(6) of Rule .0324 of this Subchapter) except the participants are curriculum students. Skills labs or computer tutorial labs are remedial/developmental in nature and intended for students who are experiencing academic difficulty in a particular curriculum course. A skills laboratory instructor must be qualified in the single-subject area of the skills laboratory. A computer tutorial laboratory coordinator need not be qualified in any of the subject area(s) provided in a computer tutorial laboratory. Student contact hours may be reported for budget/FTE when students are required by their instructor to attend either of the laboratories for remedial/developmental work and when the skills laboratory instructors or computer tutorial coordinators are paid with curriculum instructional funds.

(1) Documentation of instructor referral must be maintained for auditing purposes. Maintain documentation until released by audit.

(2) Homework assignments are not permitted to be reported for budget/FTE. Note 23 NCAC 2D .0325(a).

(3) Calculation of Student Contact Hours for Skills Laboratory or Computer Tutorial Laboratory. For these classes, actual time of class attendance is to be reported; 60 minutes shall constitute an hour. Student hours generated for these types of classes are the sum of all the hours of actual student attendance in a class in a given ~~quarter~~ semester.

(e) Classes Identified as Curriculum Non-Traditional Delivery.

(1) Definition. Due to the methodology by which instruction is delivered, non-traditional delivery classes are not consistent with the definitions of

regularly scheduled or non-regularly scheduled classes described in this Rule. Non-traditional delivery classes must be offered through media such as radio, television, and other media as well as through correspondence or newspapers. The instruction delivered is prestructured into identifiable units. Non-traditional delivery classes do not include classes identified as independent study which are not media based or are not correspondence or newspaper based.

(2) For those classes identified as non-traditional delivery, student attendance in class or in an orientation session, submission of a written assignment or submission of an examination, is the basis for the determination of class membership at the 30 percent point of the class. Student membership hours earned in non-traditional delivery classes shall be calculated by multiplying the number of students in membership, as determined in the prior sentence, times the number of hours assigned to the class in official college documents. For these classes, the number of hours assigned must be consistent with the credit hours assigned according to 23 NCAC 2E .0104, as well as the appropriate curriculum standard.

(f) Curriculum Student Work Experience and Clinical Practice. The following criteria apply to the reporting guidelines for students enrolled in curriculum work experience and clinical practice courses, exclusive of in-plant training as specified in 23 NCAC 2E .0402. Examples of student work experience include cooperative education, practicums, and internships. Clinical practice refers to work experience in health occupation programs.

(1) Student membership hours for student work experience and clinical practice shall not generate budget/FTE without prior approval by the ~~department~~ Department of such activities through the appropriate curriculum standard.

(2) Work Experience. Work experience for curriculum courses shall earn budget/FTE at the 100 percent rate of assigned work experience hours and shall not exceed a maximum of ~~220~~ 320 membership hours per student per ~~quarter~~ semester.

(A) These classes must be coordinated by college personnel paid with college instructional funds and may be located in one or more sites.

(B) These classes must be specified in the approved curriculum of the college consistent with the applicable curriculum standard.

(C) Formal or informal apprenticeship on-the-job training activities of a cooperative skill training program funded under a special project allocation shall not earn budget/FTE. Classroom instruction

funded with college regular budget instructional dollars for related or supplemental instruction as required by formal or informal apprenticeship programs shall earn budget/FTE.

- (3) Clinical Practice. Curriculum clinical practice, as defined in 23 NCAC 2E .0104, refers to clinical experience in health occupation programs which shall earn budget/FTE at the 100 percent rate for student membership hours. The applicable classes must be consistent with the curriculum standards policy as noted in Paragraph (a) of 23 NCAC 2E .0203. The maximum membership hours in a clinical experience which can be reported per student in a given ~~quarter~~ semester is ~~440~~ 640. These classes must be supervised by college instructors qualified to teach in the particular program and who are paid with college instructional funds. These classes may be located in one or more sites.

*History Note: Filed as an Emergency Amendment Eff. August 10, 1978 for a period of 120 days to expire on December 8, 1978;*

*Authority G.S. 115D-5; P.L. 1995, c. 625;*

*Eff. September 30, 1977;*

*Amended Eff. July 24, 1978;*

*Emergency Amendment Made Permanent With Change Eff. December 8, 1978;*

*Amended Eff. September 1, 1993; September 1, 1988; September 1, 1985; November 1, 1983;*

*Temporary Amendment Eff. June 1, 1997.*

#### **.0324 REPORTING OF STUDENT HOURS IN MEMBERSHIP FOR EXTENSION (NON-CREDIT) CLASSES**

##### **(a) Regularly Scheduled Classes.**

- (1) Definition of Regularly Scheduled Class. A class is considered to be regularly scheduled if it meets all of the following criteria:
  - (A) assigned definite beginning and ending time;
  - (B) specific predetermined days and time the class meets;
  - (C) specific schedule included on the Institution Master Schedule or other official college documents;
  - (D) class hours assigned consistent with official college documents;
  - (E) identified class time and dates the same for all students registered for the class ~~(excluding clinical or work experience);~~ excluding clinical or work experience:
    - (i) Classes which have a regularly scheduled lecture section and a non-regularly scheduled laboratory section will satisfy the criteria. The

census date (30% point) must be determined from the regularly scheduled portion of the class. Verification of student participation in the laboratory section of the class must be available for review.

- (ii) A student is considered absent if that student did not attend during the specified times or days the class was scheduled to meet.
- (2) Definition of Student Membership. A student is considered to be in class membership when the student meets all the following criteria:
  - (A) enrolled as evidenced by payment of the applicable registration fees, or obtained a waiver as defined in Paragraph (a) of Rule .0203 of this Subchapter;
  - (B) attended one or more classes held prior to or on the 30 percent point in the class; and
  - (C) has not withdrawn or dropped the class prior to or on the 30 percent point of the class.
- (3) Student Membership Hour. A student membership hour is one hour of scheduled ~~class~~ class, shop or laboratory for which the student is enrolled. A college shall provide a minimum of 50 minutes of instruction for each scheduled class hour. A college may not report more hours per student than the number of class hours scheduled in official college documents. Colleges may not report more hours per student, excluding non-traditional classes, than the number of hours specified in the instructor's contract.
- (4) Calculation of Student Membership Hours for Regularly Scheduled Classes. Student membership hours are obtained by multiplying the number of students in membership at the 30 percent point in the class by the total number of hours the class is scheduled to meet for the ~~quarter~~ semester as stated in official college documents. Due to the unique funding formula for Human Resource Development (HRD) classes, all HRD classes must be regularly scheduled and reported consistent with the calculation method noted in Subparagraph (a)(4) of this Rule.
- (5) Maintenance of Records of Student Membership Hours. Accurate attendance records must be maintained for each class throughout the entire class or ~~quarter~~ semester. Attendance records are to be signed by the instructor or lead instructor, verifying their accuracy, and are to be maintained by the college until released from all audits as provided in the Public Records Retention & Disposition Schedule for Institutions in the Community College System. Student membership hours shall be summarized in the Institution's Class Report and certified by the president or

designee. For classes identified as non-traditional delivery, (see Paragraph (c) of this Rule) documentation of student contact prior to the 30 percent point must be maintained in the same manner as the attendance records mentioned in this Rule.

(b) Non-Regularly Scheduled Classes.

(1) Definition of Non-Regularly Scheduled Class. A non-regularly scheduled class may include any or all of the following:

- (A) a class where a definitive beginning and ending time is not determined;
- (B) a class offered in a learning laboratory type setting (see Subparagraph (b)(6) of this Rule for definition of learning laboratory);
- (C) a class self-paced in that the student progresses through the instructional materials at his/her own pace, and can complete the courses as soon as he/she has successfully met the educational objectives. Classes offered as independent study are generally offered in this manner;
- (D) a class in which a student may enroll during the initial college registration period or in which a student may be permitted to enroll at any time during the ~~quarter~~; semester; or
- (E) any class not meeting all criteria for a regularly scheduled class as shown in Subparagraph (a)(1) of Rule .0324 of this Subchapter, is considered to be a non-regularly scheduled class for reporting purposes;
- (F) note classes defined as non-traditional (see Paragraph (c) of this Rule) which are identified as a separate student hour reporting category and are not subject to the provisions in Paragraph (b).

(2) Definition of Student Membership. A student is considered to be in class membership when the student meets the following criteria:

- (A) enrolled as evidenced by payment of the applicable registration fees, or obtained a waiver as defined in Paragraph (a) of Rule .0203 of this Subchapter; and
- (B) attended one or more classes.

(3) Definition of Student Contact Hour. A student contact hour is one hour of student attendance in a class for which the student is in membership as defined in Subparagraph (b)(2) of this Rule. Sixty minutes shall constitute an hour.

(4) Calculation of Student Contact Hours for Non-Regularly Scheduled Classes. For these classes, actual time of class attendance is to be reported; 60 minutes shall constitute an hour. Student contact hours for these classes are the sum of all the hours of actual student attendance in a class in a given ~~quarter~~; semester.

(5) Maintenance of Records of Student Contact Hours.

Accurate attendance records must be maintained for each class throughout the entire class or ~~quarter~~; semester. Attendance records shall be signed by the instructor or lead instructor, verifying their accuracy, and are to be maintained by the college until released from all audits as provided in the Public Records Retention and Disposition Schedule for Institutions in the Community College System. Student membership hours shall be summarized in the Institution's Class Report and certified by the president or designee. For classes identified as non-traditional delivery, (see Paragraph (c) of this Rule), documentation of student contact prior to the 30 percent point must be maintained in the same manner as the attendance records mentioned in this Rule.

(6) Learning Laboratory. Learning laboratory programs consist of self-instruction using programmed text, audio-visual equipment, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the laboratory. Contact hours are to be calculated as noted in Subparagraph (b)(4) of this Rule.

(c) Classes Identified as Extension Non-Traditional Delivery.

(1) Definition. Due to the methodology by which instruction is delivered, non-traditional delivery classes are not consistent with the definitions of regularly scheduled or non-regularly scheduled classes described in this Rule. Non-traditional delivery classes may be offered through media such as radio, television and other media as well as through correspondence or newspapers. The instruction delivered is pre-structured into identifiable units. Non-traditional delivery classes do not include classes identified as independent study which are not media based or are not correspondence or newspaper based.

(2) For those classes identified as non-traditional delivery, student attendance in class or in an orientation session, submission of a written assignment or a submission of examination is the basis for the determination of class membership at the 30 percent point of the class. Student membership hours in such classes shall be calculated by multiplying the number of students enrolled in the class times the number of instructional hours delivered which is determined as follows:

- (A) determine the number of hours of instruction delivered via non-traditional delivery; and

- (B) add the number of hours of class meetings, review sessions, etc.;
- (C) For those non-traditional continuing education classes which are approved by a local college staff review committee and the Director of Continuing Education Services for the ~~department~~, Department, additional hours above the level noted in Subparagraphs (c)(2)(A) and (B) in this Rule may be approved commensurate with course content.

(d) Extension Student Work Experience and Clinical Practice. The following criteria apply to the reporting guidelines for students enrolled in extension work experience and clinical practice courses, exclusive of in-plant training as specified in 23 NCAC 2E .0402. To be eligible for approval, these work experience or clinical practice courses must be required by an external agency or accrediting body. Examples of student work experience include cooperative education, practicums, and internships.

- (1) Student membership hours for student work experience and clinical practice shall not generate budget FTE without prior approval of such activities by the ~~department~~ Department on forms provided for this purpose. Approval of student work experience and clinical practice approved prior to November 1, 1983 by the ~~department~~ Department must be resubmitted for reapproval on the forms provided for this purpose. When the number of approved student work experience membership hours increases by more than 30 percent per course, a new approval form must be submitted.
- (2) Work Experience. Work experience for extension courses shall earn budget/FTE at the 100 percent rate for student membership hours, as required by an external agency or accrediting body, as determined in Subparagraph (a)(3) of this Rule, and shall not exceed a maximum of ~~220~~ 320 membership hours per student per ~~quarter~~, semester.
  - (A) These classes must be coordinated by college personnel paid with college instructional funds and may be located in one or more sites.
  - (B) Formal or informal apprenticeship on-the-job training activities of a cooperative skill training program funded under a special project allocation shall not earn budget/FTE. Classroom instruction funded with regular budget instructional dollars for related or supplemental instruction as required by formal or informal apprenticeship programs shall earn budget/FTE.
- (3) Clinical Practice. Clinical practice refers to clinical experience in health occupation courses

which shall earn budget/FTE at the 100 percent rate for student membership hours, as determined in Subparagraph (a)(3) of this Rule, and shall not exceed a maximum of ~~220~~ 320 membership hours per student per ~~quarter~~ semester unless North Carolina licensure or program accreditation standards require additional hours. In such cases, work activity hours shall earn budget/FTE at the 100 percent rate in accordance with licensure or program accreditation standards up to a maximum of ~~440~~ 640 membership hours per student per ~~quarter~~, semester. These classes must be supervised by college instructors qualified to teach in the particular program and who are paid with college instructional funds. These classes may be located in one or more sites.

*History Note: Authority G.S. 115D-5; S.L. 1995, c. 625; Eff. September 1, 1988;  
Amended Eff. September 1, 1993;  
Temporary Amendment Eff. June 1, 1997.*

### **.0327 REPORTING STUDENT MEMBERSHIP HOURS TO THE DEPARTMENT**

(a) Curriculum and extension college class reports summarizing student membership hours shall be submitted to the ~~department~~ Department during each student membership hour reporting period defined in this Paragraph.

- (1) The ~~four~~ three student membership hour reporting periods are as follows:
  - (A) Period 1 - ~~June 1 through August 31~~; (Spring Period): January 1 - May 15;
  - (B) Period 2 - ~~September 1 through November 30~~; (Summer Period): May 16 - August 14;
  - (C) Period 3 - ~~December 1 through February 28 (29)~~; (Fall Period): August 15 - December 31;
  - (D) ~~Period 4 - March 1 through May 31~~.
- (2) College class reports for all regular budget curriculum and extension classes shall be submitted 21 calendar days after the conclusion of each student reporting period defined in Subparagraph (a)(1) of this Rule. Any exceptions to this reporting period sequence for a given college must be approved by the Finance Division and Management Information Services Section ~~Divisions of the department~~; System Office. Note the following schedule concerning application of the designated periods:
  - (A) all reports received by ~~September 21~~ June 5 shall be designated Period 1;
  - (B) all reports received by ~~December 21~~ September 4 shall be designated Period 2; and
  - (C) all reports received by ~~March 21~~ January 21 shall be designated ~~Period 3~~; and Period 3.
  - (D) ~~all reports received by June 21 shall be~~

~~designated Period 4:~~

(b) For learning laboratories, skills laboratories, multi-entry, multi-exit and other non-regularly scheduled classes where actual student time in class is determined, student contact hours shall be calculated on the last day of each respective student membership hour reporting period for a given class and submitted to the ~~department~~ Department according to Subparagraphs (a)(1) and (a)(2) of this Rule. Also, note Paragraphs (b) and (c) of Rule .0323 and Paragraphs (a) and (b) of Rule .0324 regarding calculation of student membership hours.

(c) College class reports for non-regular budget extension classes such as new and expanding industry, HRD, JTPA, self-supporting, and recreational shall also be submitted to the ~~department~~ Department in accordance with Subparagraphs (a)(1) and (a)(2) of this Rule.

*History Note: Authority G.S. 115D-5; 115D-31; 115D-58.5; S.L. 1995, c. 625;*

*Eff. September 1, 1988;*

*Temporary Amendment Eff. June 1, 1997.*

## SUBCHAPTER 2E - EDUCATIONAL PROGRAMS

### SECTION .0100 - PROGRAM CLASSIFICATION: DEGREES: DIPLOMAS AND CERTIFICATES

#### .0101 PROGRAM CLASSIFICATION

The following criteria and basis are used for classifying the programs offered in the ~~colleges are set out in this Rule:~~ North Carolina Community College System.

##### (1) Curriculum Programs:

(a) ~~College Transfer Education programs consist of planned academic curriculum programs leading to an Associate in Arts (A.A.), Associate in Fine Arts (A.F.A.), or Associate in Science (A.S.) degree and are designed to allow for transfer to college at the junior level. A curriculum program is an organized sequence of courses leading to an associate degree, a diploma, or a certificate. All curriculum programs are designed to provide education, training, and retraining for the work force.~~

(i) Associate degree programs are defined as planned programs of study culminating in an associate in applied science, associate in arts, associate in fine arts, associate in science, or associate in general education degree.

(A) The associate in applied science degree program is designed primarily to prepare individuals for employment. These programs involve the application of scientific principles in research, design,

development, production, distribution, or service.

(B) The associate in arts, associate in science, and associate in fine arts degree programs are designed primarily to prepare students for transfer at the junior level to institutions offering baccalaureate degrees.

(C) The associate in general education degree program is designed primarily for students who desire a general liberal arts education.

(ii) The diploma program is designed primarily to provide entry-level employment training. A diploma program may be a stand-alone curriculum program title, or a college may award a diploma under an approved associate in applied science degree curriculum program for a series of courses taken from the approved program of study and structured so that a student may complete additional non-duplicative coursework to receive an associate in applied science degree.

(iii) The certificate program is designed primarily to lead to employment or to provide skills upgrading or retraining for individuals already in the workforce. A certificate program may be a stand-alone curriculum program title, or a college may award a certificate under an approved degree or diploma curriculum program for a series of courses taken from the approved program of study.

~~(b) The General Education Curriculum programs consist of basic course work in English, literature, fine arts, philosophy, social science, science and mathematics leading to an Associate in General Education Degree (A.G.E.) or Certificate in General Education. It is designed principally for students who desire two years of general education beyond the high school level and is not principally designed for college transfer.~~

~~(c) Technical Education Curriculum programs are designed to prepare individuals for employment, and completion of the curriculum leads to an Associate in Applied Science (A.A.S.) degree. These programs involve the application of scientific~~

principles in research, design, development, production, distribution, or service.

(d) ~~Vocational Education Curriculum programs consist of a series of courses which are designed to prepare an individual for employment in a specific occupation. These programs consist of a sequence of courses which generally can be completed in one year or less by a full-time student. Successful completion of a vocational curriculum program leads to a diploma or certificate.~~

(b) Developmental Education programs consist of courses and support services which include, but are not limited to, diagnostic assessment and placement, tutoring, advising, and writing assistance. These programs are designed to address academic preparedness, workforce retraining, development of general and discipline-specific learning strategies, and affective barriers to learning. Developmental courses do not earn credit toward a degree, diploma, or certificate.

(2) Continuing Education Programs:

(a) Occupational Extension courses consist of single courses, each complete in itself, designed for the specific purposes of training an individual for employment, upgrading the skills of persons presently employed, and retraining others for new employment in occupational fields.

(b) Community Service/Visiting Artist Program:

(i) The Community Service/Visiting Artist Program includes academic, practical skills, avocational courses, and cultural and civic activities.

(ii) The instructional component of this program may be comprised of courses in the fields of academic, practical skills, and avocational education. Instruction offered in this program shall consist of single courses, each complete in itself, designed to serve the specific academic, practical skills, or avocational needs of adult citizens. Academic courses are designed to serve the academic educational needs of adult citizens; practical skills courses are designed to provide training for persons pursuing additional skills which are not considered their major or primary vocation but may reasonably lead to employment; and avocational courses

focus on an individual's personal or leisure needs rather than occupational or professional employment.

(iii) The cultural and civic, and visiting artist component of this program meets community needs through lecture and concert series, art shows, the use of college facilities by community groups, providing speakers to community organizations, and providing visiting artist activities for college communities. Visiting artists are provided an opportunity to work as artists in residence to enhance local arts resources and promote the various visual, performing and literary arts in communities throughout North Carolina.

(c) Self-Supporting Programs:

(i) A self-supporting course is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled.

(ii) Recreational programs are self-supporting courses which the college may provide at the request of the community but for which the college receives no budgetary credit. Funds appropriated as operating expenses for allocation to the colleges shall not be used to support recreation courses. The financing of these courses by a college shall be on a self-supporting basis, and membership hours produced from these activities shall not be counted when computing full-time equivalent students for use in budget-funding formulas at the state level.

(d) Basic Skills Programs. The State Board and the community college system shall encourage persons to complete high school rather than seek testing for the High School Diploma Equivalency.

(i) High School Equivalency programs consist of classroom instruction, or learning laboratory courses, or a combination of both designed to qualify a student for an adult high school diploma under an Agreement of Affiliation with a local public school system. Approval is given to trustees of community colleges to enter into an agreement of affiliation with a local board of education to establish an adult high school

equivalency program.

- (ii) General Educational Development (GED) programs consist of classroom instruction, or learning laboratory courses, or a combination of both designed to qualify a student to demonstrate competency, on the General Educational Development (GED) tests and to receive a High School Diploma equivalency from the State Board. The State board is responsible for the administration of the General Educational Development testing program in cooperation with the Office on Educational Credit of the American Council on Education. The procedures regulating the GED Testing Program set forth in the GED Examiner's Manual published by the General Educational Development Testing Service of the American Council on ~~Education~~ Education, are hereby incorporated by reference. A copy of this manual is available for inspection in the Office of the System President, Department of Community Colleges, 200 W. Jones Street, Raleigh NC 27603-~~1337~~ 1379. A copy of this manual may be obtained at a cost of ten dollars (\$10.00) from the GED Testing Service of the American Council on Education, One Dupont Circle NW, Washington, DC 20036-1163.
- (iii) The Adult Basic Education (ABE) program is designed for adults who are functioning at or below the eighth grade educational level. The major objectives of the program are to enable adults to acquire the basic educational skills necessary to be fully competent in our society, to improve their ability to benefit from occupational training and to have greater opportunities for more productive and profitable employment, and to meet their own objectives for enrolling in the program. Classes are offered and focus on fundamental skills such as reading, writing, speaking, computing, critical thinking, and problem solving.
- (iv) The English as a Second Language (ESL) program offers classes which accommodate the varied needs of the immigrant and refugee populations.

Attention is given to both the cultural and linguistic needs as instruction is focused upon the formation of accurate, appropriate communication skills and upon the student's ability to function in the adult American community. Classes are offered at the beginning through the advanced levels of ESL. The curriculum is designed to develop the basic language skills of reading, writing, speaking, and listening. Instruction integrates the English language with topics that prepare students for everyday life, employment, and citizenship.

- (v) The Compensatory Education (CED) program is designed for adults with mental retardation. The program is highly individualized and fosters a maximum level of independent living commensurate with personal ability. Instruction is offered in math, language, social science, health, community living, consumer education and vocational education.
- (e) Business and Industrial Training.
  - (i) The Focused Industrial Training program addresses critical skills in existing industries. Based on assessments of need, these customized classes typically combine on-the-job training with classroom instruction to up-grade or train incumbent employees of manufacturing industries.
  - (ii) The New and Expanding Industry Training program offers customized, job-specific training to new or expanding companies creating new jobs in the state.
  - (iii) The Small Business Center program provides training, counseling and referral services especially designed in content and delivery modes for small businesses, both existing and prospective.
- (f) Special Instructional Programs:
  - (i) The Human Resources Development (HRD) program is an intensive program to recruit, train, and either place in employment or vocationally train chronically unemployed or underemployed adults. The primary objective of the training component is to help the jobless trainee orient himself or herself to the world of

work, appreciate the effects of his or her behavior on others, and develop the basic academic and communication skills prerequisite to obtaining and maintaining employment.

- (ii) The Job Training Partnership Act (JTPA) programs consist of occupational training and basic education for disadvantaged persons.
- (g) The Learning Laboratory programs consist of self-instruction using programmed texts, audio visual equipment, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the lab.

*History Note: Authority G.S. 115D-1; 115D-2; 115D-5; S.L. 1995, c. 625; Eff. February 1, 1976; Readopted Eff. January 24, 1978; Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981; Temporary Amendment Eff. June 1, 1997.*

## **.0102 CURRICULUM PROGRAMS: DEGREES, DIPLOMAS, CERTIFICATES**

The State Board regulates the awarding of degrees, diplomas, and certificates as follows:

- (1) The approval of a college to award the associate degree, diploma, or certificate shall be by individual program. Approval by the State Board will be granted when the college has demonstrated an established need and can provide evidence of sufficient instructional, faculty, and facility resources.
- (2) The System President will recommend action on the college's curriculum application to the State Board.
- (3) License to grant degrees, diplomas, and certificates may be withdrawn if the State Board determines that a college is not maintaining approved programs or graduation requirements.
- (4) The State Board shall assign a curriculum code, official title, credential, and minimum and maximum credit hour length for each curriculum.
  - (a) The college may award the Associate of Arts, the associate of Science, or the Associate of Fine Arts degree to graduates of college transfer curriculums. The college transfer curriculum shall be 96 quarter hour credits in length.
  - (b) The college may award the Associate in

General Education degree to graduates of General Education curriculums. The General Education curriculum shall be 96 quarter hour credits in length.

- (c) The Associate in Applied Science Degree may be awarded to graduates of technical curriculums. The minimum length for a technical program shall be 96 quarter hour credits and the maximum length shall be 128 quarter hour credits but, on special approval by the State Board, may exceed 128 quarter hour credits in length.
- (d) The diploma may be awarded to graduates of vocational curriculums. A vocational curriculum length will be a minimum of 64 quarter hour credits and a maximum of 128 quarter hour credits.
- (e) The certificate or diploma may be awarded under an existing approved diploma or degree program for a course or series of courses taken from the curriculum when the total quarter hour credits meet the State Board criteria for the credential as set forth in Rule .0203 of this Subchapter.

*History Note: Authority G.S. 115D-2; 115D-5; Eff. February 1, 1976; Amended Eff. September 1, 1993; December 1, 1984; July 1, 1979; September 30, 1977; Temporary Repeal Eff. June 1, 1997.*

## **SECTION .0200 - CURRICULUM PROGRAMS**

### **.0201 CURRICULUM PROGRAM APPROVALS AND TERMINATIONS**

(a) All vocational and technical curriculum programs must be approved by the State Board prior to being offered by any college. Curriculum Program Approvals. Community colleges shall issue degrees, diplomas, and certificates to individuals who satisfactorily complete course and program requirements.

- (1) State Board approval of a vocational or technical curriculum with the authority to grant a The approval of a college or of a group of colleges in a collaborative arrangement to award the associate degree, diploma, or a certificate will shall be by individual curriculum: curriculum program title. Approval by the State Board will shall be granted when the college has demonstrated an established need and has provided evidence to the State Board of sufficient instructional faculty, facility facilities, and other resources: equipment, and materials necessary to meet the needs of the communities served without supplanting or duplicating existing programs. The System President shall recommend action to the State Board on a college's application. The college shall initiate the proposal

for a new curriculum:

- (2) The application ~~must~~ shall be signed by the college president and the chairman of the college's board of trustees.
- (3) The System President shall recommend action on the college's curriculum program application to the State Board.
- (4) Approval to grant degrees, diplomas, and certificates shall be withdrawn if the State Board determines that a college is not maintaining approved programs or graduation requirements.

(2) (b) Curriculum Program Terminations. The college is ~~required to~~ shall terminate a ~~vocational or technical curriculum program~~ when there has been no enrollment for two years; a college may request a one-year extension of a curriculum ~~program~~ upon justification of the potential for employment opportunities and student enrollment. ~~A vocational or technical curriculum shall be terminated~~ Curriculum programs shall be terminated by action of the State Board. Each college planning to terminate a curriculum ~~program~~ shall inform the System President by submitting a termination notice on the appropriate ~~departmental~~ form.

(b) (c) ~~The State Board authorizes the~~ System President to ~~shall~~ approve Associate in General Education and Associate in Applied Science General Occupational Technology general education curriculum programs for colleges in the system.

(d) On special approval by the State Board, a degree program title or a stand-alone diploma or certificate program title may exceed the maximum length of programs as set by the curriculum standards. Such an exception shall apply to all colleges approved to offer the curriculum program title. A two-thirds majority of colleges approved to offer the program must agree with the conditions of the request for the exception. A request for an exception shall be justified based on one or more of the following criteria:

- (1) Additional time in the program is required by law.
- (2) Additional time in the program is required by an external regulatory, accrediting, or professional agency recognized by the State Board.
- (3) Additional time in the program is justified by documented extenuating circumstances such as the following:

- (A) Documentation that equivalent programs in other states require additional hours of training to teach the competencies of the curriculum;
- (B) Documentation that the program will not be viable without the exception; or
- (C) Documentation that employers have certified the competencies required for the program and the length of time needed to teach those competencies.

(c) The approval for a college to offer a college transfer program shall be consistent with the primary mission of the college to provide adult vocational and technical education and basic academic education and should complement the college's ability to pursue that mission:

- (1) ~~The approval of a college transfer program shall be based on a well-documented evaluation of the need, demand, cost and benefits of the program, as well as an assessment of the college's capacity to offer a quality program and the potential impact of the college transfer program on other colleges in the region and other programs within the college.~~
- (2) ~~Procedures and guidelines for the development and consideration of a feasibility study for the addition of a college transfer program shall be developed by the System President and approved by the State Board. These may include provisions for the requirement of public hearings and/or a local referendum on the proposal.~~
- (3) ~~The State Board may terminate a college transfer program upon request of the college or when enrollment is not adequate to generate the funds for the college to support the program.~~

*History Note: Authority G.S. 115D-5; 115D-20(6); S.L. 1995, c. 625;*

*Eff. February 1, 1976;*

*Readopted January 5, 1978;*

*Amended Eff. September 1, 1993; January 1, 1988; August 17, 1981; July 1, 1979;*

*Temporary Amendment Eff. June 1, 1997.*

## **.0203 STANDARDS FOR TECHNICAL-VOCATIONAL CURRICULUMS**

(a) ~~Standards.~~ The standards for each occupational curriculum, technical or vocational, will be developed in accordance with the following guidelines. Each institution will design its curriculum courses and requirements to comply with the standards for the curriculum. Each institution will also follow procedures for curriculum approval as outlined in Rules .0101, .0102, and .0104 of this Subchapter:

(b) Guidelines for Technical-Vocational Curriculums

- (1) ~~Each curriculum should be developed to meet specific occupational objectives and occupational educational competencies. The curriculum should be designed to lead to employment. The curriculum should emphasize knowledge, skills, and attitudes appropriate to the occupational cluster for which it is designed, with the necessary information about instruments, tools, equipment, and processes included as an integral part of the curriculum.~~
- (2) ~~The curriculum is defined as consisting of a course or a group of courses organized in a logical sequence to meet occupational educational goals and that meet the following criteria:~~
  - (A) ~~The curriculum consists of a course or courses which total a minimum of 16 quarter hour credits.~~
  - (B) ~~The curriculum covers the instruction in the~~

designated competencies for an occupation:

- (3) ~~Curriculums leading to the Associate in Applied Science (A.A.S.) degree should require from 96 quarter hour credits to 128 quarter hour credits for graduation. On special justification the State President may recommend a curriculum to the State Board with quarter-hour credit requirements above the maximum of 128. Total quarter hour credits required for each curriculum will be established at a minimum with the maximum allowed being no more than 10 percent above the minimum.~~
- (4) ~~Curriculums leading to the diploma should require from 64 to 128 quarter hour credits for graduation. Quarter hour credits for each curriculum will be established at a minimum with a maximum being no more than 10 percent above the minimum.~~
- (5) ~~Certificates may be awarded to a graduate of a curriculum of fewer than 64 quarter hour credits in length.~~
- (6) ~~Technical Curriculums~~
  - (A) ~~Technical curriculums should be designed to prepare individuals for employment in fields recognized as semiprofessional or paraprofessional in status. They should be composed of collegiate-level studies (not necessarily transferable) providing a greater degree of theoretical knowledge than manipulative skills and should be oriented to a broad occupational cluster.~~
  - (B) ~~Graduates from a technical curriculum should have at least 18 quarter hour credits in the areas of English, social science, and/or the humanities.~~
  - (C) ~~The Associate in Applied Science degree may be awarded to the graduate of a technical curriculum with 96 quarter hour credits or more.~~
- (7) ~~Technical Specialty Curriculums~~
  - (A) ~~Technical specialty curriculums should be designed to prepare individuals for employment in fields recognized as semiprofessional or paraprofessional in status. They should be composed of collegiate-level studies (not necessarily transferrable) providing greater degree of theoretical knowledge than manipulative skills.~~
  - (B) ~~Technical specialty curriculums should include only those general education and related courses necessary to support the technical courses offered in the curriculum.~~
  - (C) ~~Technical specialty curriculums usually are composed of selected technical courses designed to prepare for a particular technical skill. Technical specialty curriculums may range from 16 to 95 quarter hour credits for~~
- ~~each curriculum established at a minimum with the maximum allowed being no more than 10 percent above the minimum.~~
- (D) ~~The diploma may be awarded to the graduate of technical specialty curriculum 64 to 95 quarter hour credits in length.~~
- (E) ~~The certificate may be awarded to the graduate of technical specialty curriculum with fewer than 64 quarter hour credits in length.~~
- (8) ~~Vocational Curriculums~~
  - (A) ~~Vocational curriculums should be designed to prepare individuals for skilled or semiskilled employment opportunities. Study is primarily oriented to the development of manipulative skill competencies for use in a specialized occupation.~~
  - (B) ~~Graduates from a vocational curriculum should have at least six quarter hour credits in one or more of the areas of communications skills, applied sciences, and applied social sciences.~~
  - (C) ~~The diploma may be awarded to the graduate of a vocational curriculum that is 64 or more quarter-hour credits in length. The certificate may be awarded to the graduate of a vocational curriculum of fewer than 64 quarter hour credits in length.~~
- (9) ~~Vocational Specialty Curriculums~~
  - (A) ~~Vocational specialty curriculums should be designed to prepare students for skilled or semiskilled employment opportunities. Study is primarily oriented to the development of manipulative skills for use in a specialized occupation.~~
  - (B) ~~Vocational specialty curriculums usually include only those subjects necessary to support the development of the skills for the specialized occupation. Vocational specialty curriculums should be a minimum of 16 quarter hour credits in length.~~
  - (C) ~~A certificate may be awarded to the graduate of a vocational specialty curriculum.~~
- (10) ~~Procedures of Establishing Standards for Each curriculum~~
  - (A) ~~The standards for each curriculum will be established jointly by the Department of Community Colleges and the institution(s) offering or proposing to offer the curriculum.~~
  - (B) ~~A curriculum may have subject categories established with minimum and maximum quarter hour credit ranges for the subject area. Technical curriculums will have minimum quarter hour credits established~~

~~for the following subject categories: technical, related and general education. Elective quarter-hour credits may also be included as a category. Vocational curriculums may have subject categories established:~~

- ~~(C) A minimum percentage of quarter hour credits awarded to class work will be specified for each curriculum.~~
- ~~(D) Cooperative education or work experience may be included in the curriculum up to a maximum of 12 quarter hour credits.~~
- ~~(11) Procedures for Changing Standards for Each Curriculum. Changes in standards for each curriculum will require the approval of the State Board. Request for changes in the standards approved by the State Board for a curriculum may be made to the Board under the following conditions:~~
  - ~~(A) request to the Department of Community Colleges to change the standards;~~
  - ~~(B) concurrence by the majority of institutions offering the specific curriculum;~~
  - ~~(C) concurrence by the Department of Community Colleges.~~
- ~~(12) Procedures for Designing Curriculums at the Institutional Level~~
  - ~~(A) The institution will be responsible for the design of the curriculum at the institutional level.~~
  - ~~(B) The curriculum will adhere to the standards as approved by the State Board for the curriculum.~~
  - ~~(C) When standards are to be developed for a new curriculum, the institution or institutions planning to submit applications to the State Board for curriculum approval will jointly develop the standards with the Department of Community Colleges for the proposed curriculum for presentation to the State Board for action.~~
  - ~~(D) The institution will maintain on file with the Department of Community Colleges a copy of the official curriculum approved by the institution's board of trustees. A copy of each revised curriculum will be filed with the Department of Community Colleges prior to implementation at the institution.~~

associate degree, diploma, and certificate programs shall be as follows:

(1) Common Course Library.

- (a) The Common Course Library shall contain the following elements for all curriculum program credit and developmental courses approved for the North Carolina Community College System.
  - (i) Course prefix;
  - (ii) Course number;
  - (iii) Course title;
  - (iv) Classroom hours and laboratory, clinical, and work experience contact hours, if applicable;
  - (v) Credit hours;
  - (vi) Prerequisites and corequisites, if applicable; and
  - (vii) Course description consisting of three sentences.
- (b) A numbering system for the Common Course Library is as follows:
  - (i) The numbers 050-099 shall be assigned to developmental courses.
  - (ii) The numbers 100-109 and 200-209 shall be assigned to courses approved only at the certificate and diploma level. These courses shall not be included in associate degree programs.
  - (iii) The numbers 110-199 and 210-299 shall be used for courses approved at the associate degree level. These courses may also be included in certificate and diploma programs.
- (c) The college shall use the course information (prefix, number, title, and classroom, laboratory, clinical, work experience, and credit hours; prerequisites and corequisites; and course description) as listed in the Common Course Library.
  - (i) The college may add a fourth sentence to the course description to clarify content or instructional methodology.
  - (ii) A college may divide courses into incremental units for greater flexibility in providing instruction to part-time students or to provide shorter units of study for abbreviated calendars. The following criteria apply to courses divided into incremental units:
    - (A) A curriculum program course may be divided into two or three units, which are designated with an additional suffix following the course

*History Note: Authority G.S. 115D-5; S.L. 1995, c. 625; Eff. July 1, 1979;  
Amended Eff. December 1, 1984;  
Temporary Repeal Eff. June 1, 1997.*

**.0204 COURSES AND STANDARDS FOR CURRICULUM PROGRAMS**

A common course library and curriculum standards for

- prefix and number.
- (B) The units shall equal the entire course of instruction, without omitting any competencies.
  - (C) The combined contact and credit hours for the units shall equal the contact and credit hours for the course.
  - (D) If the course is a prerequisite to another course, the student shall complete all component parts before enrolling in the next course.
  - (E) The components of a split curriculum program course shall not be used to supplant training for occupational extension.
- (d) The Department of Community Colleges shall revise and maintain courses in the Common Course Library.
- (2) Development of Curriculum Standards. The standards for each curriculum program title shall be established jointly by the Department of Community Colleges and the institution(s) proposing to offer the curriculum program based on criteria established by the State Board of Community Colleges. Changes in curriculum standards shall be approved by the State Board of Community Colleges. Requests for changes in the standards shall be made to the State Board under the following conditions:
- (a) A request is made to the Department of Community Colleges to change the standards for a curriculum program title; and
  - (b) The majority of institutions offering the curriculum program title concur with the request.
- (3) Criteria for Curriculum Standards. The standards for each curriculum program title shall be based on the following criteria established by the State Board for the awarding of degrees, diplomas, and certificates.
- (a) Associate in Applied Science Degree. The Associate in Applied Science Degree shall be granted for a planned program of study consisting of a minimum of 64 and a maximum of 76 semester hours of courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.
    - (i) The associate in applied science degree curriculum program shall include a minimum of 15 semester hours of general education courses selected from the Common Course Library, including six hours in communications, three hours in humanities or fine arts, three hours in social or behavioral sciences, and three hours in natural sciences or mathematics.
    - (ii) The associate in applied science degree curriculum program shall include a minimum of 49 semester hours of major courses selected from the Common Course Library. Major courses are those which offer specific job knowledge or skills.
      - (A) Within the major hours category, each curriculum program shall include identified core courses or subject areas. The required subject or course core shall be comprised of subject areas or specific courses or both which are required for each curriculum program. Core subjects or courses shall be based on curriculum competencies and shall teach essential skills and knowledge necessary for entry-level employment. The number of credit hours required for the core may vary from title to title but shall not be less than 12 semester hours of credit.
      - (B) The major hours category may also include hours required for a concentration of study. A concentration of study is a group of courses required beyond the core for a specific related employment field. A concentration shall include a minimum of 12 semester hours, and the majority of the course credit hours shall be unique to the concentration.
      - (C) Other major hours shall be selected from prefixes identified on the curriculum standard. A maximum of nine semester hours of credit may be selected from any prefix listed, with the exception of prefixes listed in the core or concentration.

- (D) Work experience, including cooperative education, practicums, and internships, may be included in an associate in applied science degree curriculum program up to a maximum of eight semester hours of credit.
- (iii) An associate in applied science degree curriculum program may include a maximum of seven other required hours to complete college graduation requirements. These courses shall be selected from the Common Course Library.
- (iv) Selected topics or seminar courses may be included in an associate in applied science degree program up to a maximum of three semester hours credit.
- (b) Associate in Arts and Associate in Science Degrees. The Associate in Arts and Associate in Science Degrees shall be granted for planned programs of study consisting of a minimum of 64 and a maximum of 65 semester hours of approved college transfer courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.
- (i) The associate in arts and associate in science degree programs shall include a minimum of 44 semester hours of general education core courses selected from the Common Course Library and approved for transfer to the University of North Carolina constituent institutions. The general education core shall include:
- (A) six semester hours of English composition.
- (B) 12 semester hours of humanities or fine arts, with four courses to be selected from at least three of the following disciplines: music, art, drama, dance, foreign languages, interdisciplinary humanities, literature, philosophy, and religion. At least one course shall be a literature course. Three semester hours credit in speech or communication may be substituted for three semester hours credit in humanities or fine arts.
- (C) 12 semester hours of social or behavioral sciences, with four courses to be selected from at least three of the following disciplines: anthropology, economics, geography, history, political science, psychology, and sociology. At least one course shall be a history course.
- (D) 14 semester hours of natural sciences or mathematics; six hours shall be mathematics courses with at least one course in introductory mathematics; eight hours shall be natural sciences courses, including accompanying laboratory work, selected from among the biological and physical science disciplines.
- (ii) The associate in arts and associate in science degree programs shall include a minimum of 20 and a maximum of 21 additional semester hours selected from courses in the Common Course Library which have been approved for transfer to the University of North Carolina constituent institutions. Courses in health, physical education, college orientation, or study skills may be included. Selected topics or seminar courses up to a maximum of three semester hours credit may be included. Work experience, including cooperative education, practicums, and internships, may be included up to a maximum of one semester hour of credit for career exploration.
- (A) The associate in arts degree curriculum program shall include additional general education and professional courses which have been approved for transfer.
- (B) The associate in science degree curriculum program shall include a minimum of 14 semester hours in mathematics or science and professional courses which have been approved for transfer.

(c) Associate in Fine Arts Degree. The Associate in Fine Arts Degree shall be granted for planned programs of study consisting of a minimum of 64 and a maximum of 65 semester hours of approved college transfer courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.

(i) The associate in fine arts degree programs shall include a minimum of 28 semester hours of general education core courses selected from the Common Course Library and approved for transfer to the University of North Carolina constituent institutions. The general education core shall include:

(A) six semester hours of English composition.

(B) six semester hours of humanities or fine arts, with two courses to be selected from two of the following disciplines: music, art, drama, dance, foreign languages, interdisciplinary humanities, literature, philosophy, and religion. At least one course shall be a literature course. Three semester hours credit in speech or communication may be substituted for three semester hours credit in humanities or fine arts.

(C) nine semester hours of social or behavioral sciences, with three courses to be selected from three of the following disciplines: anthropology, economics, geography, history, political science, psychology, and sociology. At least one course shall be a history course.

(D) three semester hours of introductory mathematics.

(E) four semester hours from the natural sciences, including accompanying laboratory work.

(ii) The associate in fine arts degree programs shall include a minimum of 36 and a maximum of 37 additional

semester hours selected from courses in the Common Course Library which have been approved for transfer to the University of North Carolina constituent institutions. Major course requirements shall be determined by articulation agreements developed under the Comprehensive Articulation Agreement. Courses in health, physical education, college orientation, or study skills may be included. Selected topics or seminar courses up to a maximum of three semester hours credit may be included. Work experience, including cooperative education, practicums, and internships, may be included up to a maximum of one semester hour of credit for career exploration.

(d) Associate in General Education. The Associate in General Education shall be granted for a planned program of study consisting of a minimum of 64 and a maximum of 65 semester hours of courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.

(i) The associate in general education degree curriculum program shall include a minimum of 15 semester hours of general education courses selected from the Common Course Library, including six hours in communications, three hours in humanities or fine arts, three hours in social or behavioral sciences, and three hours in natural sciences or mathematics.

(ii) The remaining hours in the associate in general education degree curriculum program shall consist of additional general education courses selected from the Common Course Library. A maximum of seven semester hours credit in health, physical education, and college orientation or study skills courses may be included. Selected topics or seminar courses may be included in a program of study up to a maximum of three semester hours credit.

(e) Diploma. The Diploma shall be granted for

a planned program of study consisting of a minimum of 36 and a maximum of 48 semester hours of courses at the 100-299 course level.

(i) Diploma curricula shall include a minimum of six semester hours of general education courses selected from the Common Course Library. A minimum of three hours shall be in communications, and a minimum of three semester hours shall be selected from courses in humanities and fine arts, social and behavioral sciences, or natural sciences and mathematics. A diploma curriculum program may include general education courses at the 100-109 level.

(ii) Diploma curricula shall include a minimum of 30 semester hours of major courses selected from the Common Course Library.

(A) A diploma curriculum program which is a stand-alone curriculum program title shall include identified core courses or subject areas within the major hours category.

(B) Courses for other major hours in a stand-alone diploma curriculum program title shall be selected from prefixes identified on the curriculum standard. A maximum of nine semester hours credit may be selected from any prefix listed, with the exception of prefixes listed in the core or concentration.

(C) Work experience, including cooperative education, practicums, and internships, may be included in a diploma curriculum program up to a maximum of eight semester hours credit.

(iii) A diploma curriculum program may include a maximum of four other required hours to complete college graduation requirements. These courses shall be selected from the Common Course Library.

(iv) An institution may award a diploma under an approved associate in applied science degree curriculum program for a series of courses taken from the approved associate degree curriculum program.

(A) A diploma curriculum program offered under an approved associate degree curriculum program shall meet the standard general education and major course requirements for the diploma credential.

(B) A college may substitute general education courses at the 100-109 course level for the associate-degree level general education courses in a diploma curriculum program offered under an approved degree program.

(C) The diploma curriculum program offered under an approved associate degree curriculum program shall require a minimum of 12 semester hours of credit from courses extracted from the required subject or course core of the respective associate in applied science degree curriculum program.

(v) Selected topics or seminar courses may be included in a diploma program up to a maximum of three semester hours credit.

(f) Certificate Programs. The Certificate shall be granted for a planned program of study consisting of a minimum of 12 and a maximum of 18 semester hours of courses at the 100-299 course level.

(i) General education is optional in certificate curricula.

(ii) Certificate curricula shall include a minimum of 12 semester hours of major courses selected from the Common Course Library.

(A) A certificate curriculum program which is a stand-alone curriculum program title or which is the highest credential level awarded under an approved associate in applied science degree or diploma program shall include 12 semester hours of core courses or subject areas within the major hours category.

(B) Courses for other major hours in a stand-alone certificate curriculum program shall be selected from prefixes identified on the curriculum

standard. A maximum of nine semester hours credit may be selected from any prefix listed, with the exception of prefixes listed in the core or concentration.

(C) Work experience, including cooperative education, practicums, and internships, may be included in a certificate program up to a maximum of two semester hours credit.

(iii) A certificate curriculum program may include a maximum of one other required hour to complete college graduation requirements. This course shall be selected from the Common Course Library.

(iv) An institution may award a certificate under an approved degree or diploma curriculum program for a series of courses totaling a minimum of 12 semester hours credit and a maximum of 18 semester hours credit taken from the approved associate degree or diploma curriculum program.

(v) Selected topics or seminar courses may be included in a certificate program up to a maximum of three semester hours credit.

(4) Curriculum Standards Compliance. Each institution shall select curriculum program courses from the Common Course Library to comply with the standards for each curriculum program title the institution is approved to offer. The selected courses shall comprise the college's program of study for that curriculum program.

(a) Each institution shall maintain on file with the Department of Community Colleges a copy of the official program of study approved by the institution's board of trustees. A copy of each revised program of study shall be filed with the Department of Community Colleges prior to implementation at the institution.

(b) When requesting approval to offer a curriculum program title, an institution shall submit a program of study for that curriculum program title.

the occupational extension program shall be reviewed annually. Colleges shall provide information to the Department of Community Colleges on program enrollment and cost; student progress, achievement and outcomes; and employer satisfaction.

(b) Associate in Applied Science, diploma and certificate programs shall meet the following standards for performance:

- (1) the standard required by an outside licensure or accrediting agency for passing rates on licensure or certification examinations, where applicable; and
- (2) a satisfactory level on at least five of the following eight required elements:

- (A) a three year annual average enrollment of at least 10 students, unduplicated headcount;
- (B) student goal accomplishment for program completion;
- (C) student goal accomplishment for other student goals;
- (D) program completer satisfaction with program;
- (E) early leaver satisfaction with program;
- (F) program completer employment rate;
- (G) early leaver employment rate;
- (H) employer satisfaction.

The performance level on Parts (b)(2)(B) through (b)(2)(H) of this Rule shall be no more than 15 percent below the system average and shall be determined by an annual survey conducted by each college based on a standard set of questions developed by the Department.

(c) The associate in arts, associate in science, and associate in fine arts degree programs' performance level shall be no more than 15 percent below the system average grade point average earned after two semesters in a four-year institution for students who completed 60 or more semester credit hours at the community college.

(d) Programs which do not meet these standards will be subject to further review to document temporary or permanent conditions which shall be taken into account to justify offering the program. If further review fails to provide a justification for the program or to lead to improvement so that the program meets the standards, the program shall be terminated.

*History Note: Authority G.S. 115D-5; 1993 S.L. c. 321, s. 109; S.L. 1995, c. 625;*

*Eff. February 1, 1990;*

*Amended Eff. August 1, 1995; September 1, 1993;*

*Temporary Adoption Eff. June 1, 1997.*

## SECTION .0500 - ARTICULATION: PUBLIC SCHOOL AND COMMUNITY COLLEGE SYSTEMS

*History Note: Authority G.S. 115D-5; S.L. 1995, c. 625; Temporary Adoption Eff. June 1, 1997.*

### **.0205 PROGRAM REVIEW**

(a) Each college shall monitor the quality and viability of all its programs and services. Each curriculum program and

**.0501 ARTICULATION**

(a) The State Board of Community Colleges shall encourage meetings with the State Board of Education and the Board of Governors of The University of North Carolina to discuss educational matters of mutual interest and to recommend to the General Assembly such policies as are appropriate to improve encourage the improvement of public education at every level in North Carolina.

(b) The State Board encourages formal and informal articulation efforts on a continuing basis between the educational systems. Articulation between the State educational systems should address programming, transferability, and other student-oriented issues which would result in better serving the educational needs of North Carolina. Where feasible, the joint utilization of physical facilities, equipment and materials should be considered.

(c) All North Carolina Community College System associate in science, associate in arts, and associate in fine arts degree programs shall be structured to comply with the North Carolina Comprehensive Articulation Agreement for the transfer of credits between the institutions of the North Carolina Community College System and the University of North Carolina.

*History Note: Authority G.S. 115D-2.1; 115D-3; 115D-5; S.L. 1995, c. 625;*

*Eff. February 1, 1976;*

*Readopted Eff. January 5, 1978;*

*Amended Eff. September 1, 1993; December 1, 1984;*

*Temporary Amendment Eff. June 1, 1997.*

**SECTION .0600 - VOCATIONAL CURRICULUM**

**.0604 COLLABORATIVE AGREEMENTS**

(a) Two or more colleges may enter into a written

~~consortium collaborative agreement to expand approved technical and vocational curriculums to other colleges for the purpose of offering credit courses or programs. The consortium collaborative agreement shall:~~

- (1) Specify the curriculum program(s) to be shared;
- (2) Define the plan for sharing the curriculum program(s), including who shall earn the FTE and grant the award(s);
- (3) Certify that appropriate and adequate resources are available at each participating college. Where feasible, the joint utilization of physical facilities, equipment, materials, and instructional faculty should be considered;
- (4) Certify that the curriculum program(s) meets the standards of the appropriate accrediting agency;
- (5) Be signed by the president and approved by the board of trustees of each participating college; and
- (6) Be approved by the System President.

~~(b) Any technical or vocational curriculum shared by a consortium shall be approved by the State Board to be offered by one One or more of the colleges participating in the consortium. collaborative agreement shall be approved by the State Board to offer the curriculum program shared by the collaborative agreement.~~

*History Note: Filed as a Temporary Adoption Eff. October 31, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*

*Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L. 1995, c. 625;*

*Eff. May 1, 1995;*

*Temporary Amendment Eff. June 1, 1997.*

***This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, April 17, 1997, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, April 14, 1997, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.***

**RULES REVIEW COMMISSION MEMBERS**

**Appointed by Senate**  
 Philip O. Redwine - Chairman  
 Vernice B. Howard  
 Teresa L. Smallwood  
 Charles H. Henry

**Appointed by House**  
 Bill Graham - Vice Chairman  
 James Mallory, III  
 Paul Powell  
 Anita White

**RULES REVIEW COMMISSION MEETING DATES**

April 17, 1997  
 May 15, 1997  
 June 19, 1997

July 17, 1997  
 August 21, 1997  
 September 18, 1997

**MEETING DATE: APRIL 17, 1997**

**LOG OF FILINGS**

**RULES SUBMITTED: FEBRUARY 20, 1997 THROUGH MARCH 20, 1997**

AGENCY/DIVISION	RULE NAME	RULE	ACTION
<b>DHR/DIVISION OF MEDICAL ASSISTANCE</b>			
	Technique for Overpayments	10 NCAC 26G .0707	Amend
<b>DEPARTMENT OF INSURANCE</b>			
	Applicability	11 NCAC 11F .0401	Adopt
	Definitions	11 NCAC 11F .0402	Adopt
	Basic and Premium Deficiency	11 NCAC 11F .0403	Adopt
	Calculation	11 NCAC 11F .0404	Adopt
	Calculation	11 NCAC 11F .0405	Adopt
<b>JUSTICE/NC CRIMINAL JUSTICE EDUCATION &amp; TRAINING STANDARDS COMMISSION</b>			
	Definitions	12 NCAC 9A .0103	Amend
	Background Investigation	12 NCAC 9B .0102	Amend
	Minimum Standards	12 NCAC 9B .0111	Amend
	Basic Training	12 NCAC 9B .0206	Amend
	Basic Training	12 NCAC 9B .0224	Amend
	Basic Training	12 NCAC 9B .0225	Amend
	Satisfaction of Minimum Training	12 NCAC 9B .0409	Amend
	General Certification	12 NCAC 9C .0304	Amend
	Agency Retention	12 NCAC 9C .0307	Amend
	Lateral Transfer	12 NCAC 9C .0309	Amend
	Approved Speed-Measuring Instruments	12 NCAC 9C .0601	Amend
	Testing: Accuracy	12 NCAC 9C .0602	Repeal
	Testing: Radio Microwave	12 NCAC 9C .0603	Repeal

Testing: Time-Distance	12 NCAC 9C .0604	Repeal
Operating Procedures	12 NCAC 9C .0605	Repeal
Concurrent Responsibility	12 NCAC 9C .0606	Repeal
Speed-Measuring Instrument	12 NCAC 9C .0607	Adopt
Speed-Measuring Instrument	12 NCAC 9C .0608	Adopt

**DEHNR/ENVIRONMENTAL MANAGEMENT COMMISSION**

Excess Emissions	15A NCAC 2D .0535	Amend
Purpose and Scope	15A NCAC 2D .1201	Amend
Definitions	15A NCAC 2D .1202	Amend
Test Methods	15A NCAC 2D .1203	Amend
Reporting	15A NCAC 2D .1204	Amend
Emission Standards	15A NCAC 2D .1205	Amend
Operational Standards	15A NCAC 2D .1206	Amend
Excess Emissions	15A NCAC 2D .1207	Amend
Operator Training	15A NCAC 2D .1208	Adopt
Compliance Schedules	15A NCAC 2D .1209	Amend
Application Processing	15A NCAC 2Q .0312	Amend
Expedited Application Processing	15A NCAC 2Q .0313	Adopt
Application Processing Schedule	15A NCAC 2Q .0525	Amend
Expedited Application Processing	15A NCAC 2Q .0527	Adopt
Application Processing Schedule	15A NCAC 2Q .0607	Amend

**DEHNR/MARINE FISHERIES COMMISSION**

Endangered or Threatened Species	15A NCAC 3I .0107	Amend
Military Prohibited Areas	15A NCAC 3I .0110	Amend
Coral and Live Rock	15A NCAC 3I .0116	Amend
Trawl Nets	15A NCAC 3J .0104	Amend
Crab, Eel, Fish and Shrimp Pots	15A NCAC 3J .0301	Amend
Non-Commercial Harvest	15A NCAC 3K .0105	Amend
Dredges/Mechanical Methods	15A NCAC 3K .0204	Amend
Prohibited Taking	15A NCAC 3K .0304	Amend
Crab Dredging	15A NCAC 3L .0203	Amend
Crab Spawning Sanctuaries	15A NCAC 3L .0205	Amend
Season, Size, and Harvest Limit	15A NCAC 3M .0204	Amend
Season and Areas	15A NCAC 3M .0401	Amend
Maps and Marking	15A NCAC 3N .0103	Amend
Prohibited Gear	15A NCAC 3N .0104	Amend
Prohibited Gear	15A NCAC 3N .0105	Amend
License Agents	15A NCAC 3O .0101	Amend
Standards for Shellfish Bottom	15A NCAC 3O .0201	Amend
Shellfish Bottom	15A NCAC 3O .0202	Amend
Lease Renewal	15A NCAC 3O .0205	Amend
Cancellation	15A NCAC 3O .0208	Amend
Sea Turtle Sanctuary	15A NCAC 3R .0101	Amend
Military Restricted Areas	15A NCAC 3R .0102	Amend
Primary Nursery Areas	15A NCAC 3R .0103	Amend
Permanent Secondary Nursery Areas	15A NCAC 3R .0104	Amend
Special Secondary Nursery Areas	15A NCAC 3R .0105	Amend
Designated Pot Areas	15A NCAC 3R .0107	Amend

**DEHNR/WILDLIFE RESOURCES COMMISSION**

Permitted Archery Equipment	15A NCAC 10B .0116	Amend
Hunting on Game Lands	15A NCAC 10D .0003	Amend
No Wake Zone	15A NCAC 10F .0317	Amend
No Wake Zone	15A NCAC 10F .0327	Amend
No Wake Zone	15A NCAC 10F .0339	Amend

**DEHNR/COMMISSION FOR HEALTH SERVICES**

General	15A NCAC 13A .0101	Amend
General Program Requirements	15A NCAC 13A .0105	Amend
Standards Applicable	15A NCAC 13A .0107	Amend
Standards for Management	15A NCAC 13A .0111	Amend
Land Disposal Restrictions	15A NCAC 13A .0112	Amend
Standards	15A NCAC 13A .0119	Amend
Adoption and Incorporation by Reference	15A NCAC 21I .0101	Adopt
Adoption and Incorporation by Reference	15A NCAC 21J .0101	Adopt

**TRANSPORTATION/DIVISION OF HIGHWAYS**

Revocation of Permit	19A NCAC 2E .0210	Amend
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**NC STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS**

Initial Licensure Fee	21 NCAC 37D .0202	Amend
Renewal Fee	21 NCAC 37G .0102	Amend

**RULES REVIEW OBJECTIONS**

**ACUPUNCTURE LICENSING BOARD**

<i>21 NCAC 1 .0706 - Continuances</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>21 NCAC 1 .0707 - Disqualification for Personal Bias</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

**COMMUNITY COLLEGES**

<i>23 NCAC 2C .0304 - Student Loan Funds for Vocational and Technical Education</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>23 NCAC 2E .0203 - Standards for Technical-Vocational Curriculum</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

**ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**

**Coastal Management**

<i>15A NCAC 7M .0403 - Policy Statements</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

**HUMAN RESOURCES**

**Facility Services**

<i>10 NCAC 3R .3030 - Facility and Service Need Determinations</i>	<i>RRC Objection</i>	<i>10/17/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	<i>11/21/96</i>
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>12/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>10 NCAC 3R .3033 - Open Heart Surgery Services Need Determinations (Rev. Cat. H)</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>10 NCAC 3R .3034 - Heart-Lung Bypass Mch. Need Det./New Open Heart Sgy. Svcs.</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>10 NCAC 3R .3035 - Heart-Lung Bypass Mch. Need Det./Existing Open Heart Sgy. Svcs.</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>10 NCAC 3R .3036 - Cardiac Catheterization Eqpt Need Det./New Providers</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>10 NCAC 3R .3037 - Cardiac Catheterization Eqpt Need Det./Existing Providers</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>

<i>10 NCAC 3R .3038 - Cardiac Angioplasty Eqpt Need Det./New Providers</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>10 NCAC 3R .3039 - Cardiac Angioplasty Eqpt Need Det./Existing Providers</i>	<i>RRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<b>Mental Health: Other Programs</b>		
<i>10 NCAC 18W .0201 - Scope</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>10 NCAC 18W .0203 - General Provisions</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>10 NCAC 18W .0205 - Emotional, Mental or Neurological Handicap Defined</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>10 NCAC 18W .0211 - Needs Assessment</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>10 NCAC 18W .0214 - Area Program Requirements</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>10 NCAC 18W .0215 - Division Requirements</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>10 NCAC 18W .0218 - Contested Case Hearings</i>	<i>RRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

**TRANSPORTATION**

**Division of Motor Vehicles**

<i>19A NCAC 3J .0306 - Course of Instruction</i>	<i>RRC Objection</i>	<i>02/20/97</i>
<i>19A NCAC 3J .0307 - Student Requirements</i>	<i>RRC Objection</i>	<i>02/20/97</i>
<i>19A NCAC 3J .0308 - Reports to be Submitted</i>	<i>RRC Objection</i>	<i>02/20/97</i>

*This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.*

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Brenda B. Becton  
Sammie Chess Jr.  
Beecher R. Gray  
Meg Scott Phipps

Robert Roosevelt Reilly Jr.  
Dolores O. Smith  
Thomas R. West

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Alcoholic Beverage Control Commission v. Tremik, Inc.	95 ABC 0925	Morrison	03/25/96	
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Marshall Stewart, III, Robert David Park, and Park Stewart Inc				
Alcoholic Beverage Control Commission v. Maria Virginia Tramontano	95 ABC 1200	West	04/23/96	
Alcoholic Beverage Control Commission v. Huffman Oil Co., Inc.	95 ABC 1251	West	04/03/96	11:03 NCR 166
Pinakin P. Talate v. Alcoholic Beverage Control Commission	95 ABC 1329	West	04/10/96	
Alcoholic Beverage Control Commission v. Entrepreneur, Inc.	95 ABC 1363	Reilly	05/02/96	
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Alcoholic Beverage Control Commission v. Henry Franklin Gurganus	95 ABC 1389	West	04/01/96	
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Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0449	Morrison	08/30/96	
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Alcoholic Beverage Control Commission v. Winn Dixie Charlotte, Inc.	96 ABC 0859	Morrison	11/21/96	
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Alcoholic Beverage Control Commission v. Warner Enterprises, Inc.	96 ABC 1315	Gray	01/30/97	11:23 NCR 1801
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Patricia Kemp v. Craven County Health Department	96 OSP 0324* <sup>15</sup>	Smith	01/24/97	
<b>Department of Crime Control and Public Safety</b>				
Jerry Lee Fields v. State Highway Patrol	94 OSP 1174* <sup>10</sup>	Gray	08/05/96	
Gene Wells v. Crime Control & Public Safety, State Highway Patrol	95 OSP 0249* <sup>9</sup>	Smith	07/23/96	
Hearl Oxendine v. Crime Control & Public Safety, St. Highway Patrol	95 OSP 0697	Smith	10/16/96	
Jerry Lee Fields v. State Highway Patrol	95 OSP 0836* <sup>10</sup>	Gray	08/05/96	
Gene Wells v. Crime Control & Public Safety, State Highway Patrol	95 OSP 1050* <sup>9</sup>	Smith	07/23/96	
Lloyd Edward Lowry v. Department of Crime Control & Public Safety	96 OSP 0341	Reilly	02/28/97	11 24 NCR 1886
Peter Mason Griffin v. Crime Control & Public Safety, St. Hwy Patrol	96 OSP 1309	Gray	12/12/96	
<b>Durham County Health Department</b>				
Lylla D. Stockton v. Durham County Health Department	95 OSP 0176	West	07/02/96	
<b>Employment Security Commission</b>				
Gene S. Baker v. Gov. James B. Hunt, Jr., Ann Q. Duncan, Chairman, Employment Security Commission	93 OSP 0707	Becton	05/16/96	11:05 NCR 300
William Herbert Allen v. Employment Security Commission	94 OSP 1688	West	06/11/96	
Patricia Gary v. Employment Security Commission	95 OSP 0793	Chess	05/14/96	
Tonderlier Lynch v. Emp. Security Comm., Austin Quality Foods, Inc.	96 OSP 0275	Chess	05/21/96	
Jessie James Thomas, Jr. v. Employment Security Commission	96 OSP 1961	Phipps	01/27/97	
<b>Department of Environment, Health, and Natural Resources</b>				
Roberta Ann "Robin" Hood v. Environment, Health, & Natural Resources	95 OSP 0035	Reilly	04/09/96	
Kathy B. Vinson v. Dept. of Environment, Health, & Natural Resources	95 OSP 0203	Gray	09/18/96	11:13 NCR 1087
Donald E. Batts v. Division of Adult Health, EHNR	95 OSP 1071	Smith	10/01/96	
<b>Guilford County Area Mental Health, Developmental Disabilities and Substance Abuse</b>				
Stuart Klatt v. Guilford Cty Area MH/DD/SAS, St. Per Comm, OSP	95 OSP 1179	Smith	07/19/96	11:10 NCR 865
<b>Department of Human Resources</b>				
Sheila Logan v. Black Mountain Center, Dept. of Human Resources	95 OSP 0672	Chess	01/24/97	
Myron A. Smith v. DHR, Division of Child Development	95 OSP 1033	Morrison	11/27/96	
Ophelia Webb v. Edard R. Inman, Dir. Alamance Cty DSS, Alamance Cty DSS, Alamance County, and DHR	96 OSP 0112	Gray	03/13/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0114* <sup>11</sup>	Gray	11/05/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0146* <sup>11</sup>	Gray	11/05/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0147* <sup>11</sup>	Gray	11/05/96	
Gail Marie Rodgers Lincoln v. DHR, DMH/DD/SAS-Cherry Hosp., Cherry Hospital	96 OSP 0159	Chess	06/17/96	
Cynthia D. Hickman v. DHR, Central School for the Deaf	96 OSP 0191	Becton	09/23/96	
Johnny Earl Young v. Unit Head Director of Food & Nutrition	96 OSP 0217	Reilly	08/13/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0241* <sup>11</sup>	Gray	11/05/96	
Mary A. Boogaerts v. Cherry Hospital, Goldsboro, NC	96 OSP 0269	Becton	05/29/96	
Kelvin Parter v. Dorothea Dix Hospital	96 OSP 0294	Chess	08/07/96	
Johnny Earl Young v. Unit Head Director of Food & Nutrition	96 OSP 0543	Reilly	07/09/96	
Johnny Earl Young v. Unit Head Director of Food & Nutrition	96 OSP 0590	Reilly	07/09/96	
Kim A. Bell v. Walter B. Jones Alcohol & Drug Abuse Treatment Center	96 OSP 0597	Becton	09/11/96	
Allen J. Wright, Jr. v. Blue Ridge Area Authority	96 OSP 0665	Reilly	12/20/96	
Lynn S. Hales v. John Umstead Hospital	96 OSP 0729	West	10/02/96	
Deborah Ayala v. DHR/DSS/Child Support Enforcement	96 OSP 1062	Smith	10/29/96	
Jacqueline C. Branch v. Division of Facility Services	96 OSP 1089	Smith	12/09/96	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<i>Buncombe County Department of Social Services</i>				
Kathy Davis v. Buncombe County Department of Social Services	95 OSP 1487	West	08/09/96	
<i>Caswell Center</i>				
Ramona C. Jenkins v. Department of Human Resources, Caswell Center	89 OSP 0411	Becton	03/26/96	
Ramona C. Jenkins v. Department of Human Resources, Caswell Center	91 OSP 0522	Becton	03/26/96	11:02 NCR 89
Franklin D. Sutton v. Department of Human Resources, Caswell Center	94 OSP 0766	Smith	03/21/96	
<i>Cumberland County Department of Social Services</i>				
Deborah McKoy v. Cumberland County Department of Social Services	95 OSP 1059	Chess	02/17/97	
Ruth Fortner v. Cumberland County Department of Social Services	96 OSP 0829	Becton	12/02/96	
<i>Durham County Department of Social Services</i>				
Jan E. Smith v. Durham County Department of Social Services	95 OSP 1121	Morrison	05/24/96	
<i>Halifax County Department of Social Services</i>				
Clairbel Thomas v. Halifax County DSS & Director, Halifax County DSS	95 OSP 0905	West	05/29/96	11:06 NCR 395
<i>Haywood County Department of Social Services</i>				
Carol Hubbard v. Haywood County Department of Social Services	95 OSP 1084	Reilly	08/30/96	11:13 NCR 1092
<i>Lenoir County Department of Social Services</i>				
Sharron S. Moten v. Lenoir County DSS, Jack B. Jones	96 OSP 1100	Gray	12/06/96	
Felicia Ann Baker v. Lenoir County DSS, Jack B. Jones	96 OSP 1101	Gray	12/12/96	
<i>Division of Medical Assistance</i>				
Harold Wiggins v. Division of Medical Assistance	95 OSP 1482	West	06/11/96	
<i>O'Berry Center</i>				
Samuel Geddie v. O'Berry Center	96 OSP 0414	Morrison	06/13/96	
Gale Worrells v. Department of Human Resources, O'Berry Center	96 OSP 1011	Gray	01/09/97	11:21 NCR 1699
<i>Rockingham County Department of Social Services</i>				
Lorretta Lawson v. Rockingham County DSS	96 OSP 0471	West	06/13/96	
<i>Vance County Department of Social Services</i>				
Robert Eugene Davis v. Vance County Department of Social Services	96 OSP 0157	Reilly	10/28/96	
<i>Wake County Department of Social Services</i>				
Phylis Gilbert v. Wake County Department of Social Services	95 OSP 1238	Phipps	06/27/96	
<i>Wilson County Department of Social Services</i>				
Karen R. Davis v. Wilson County Department of Social Services	96 OSP 0394	Chess	11/01/96	
<i>Department of Insurance</i>				
Larry W. Creech v. Department of Insurance	95 OSP 0631	Reilly	06/06/96	11:07 NCR 434
<i>Department of Justice</i>				
Thomas M. Hughes v. State Bureau of Investigation, Dept. of Justice	95 OSP 0368	Becton	02/28/97	11:24 NCR 1877
<i>Department of Labor</i>				
Kevin P. Kolbe, Sr. v. Department of Labor	95 OSP 0968	Morrison	03/14/96	11:01 NCR 58
Sydney Cheryl Sutton v. Department of Labor	95 OSP 1211	Phipps	02/04/97	
<i>New Hanover County Board of Health</i>				
Tabandeh Zand v. New Hanover County Board of Health	95 OSP 1035	Smith	03/01/96	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<i>Department of Public Instruction</i>				
Johnny Leak v. Public Schools of NC, Dept. of Public Instruction	96 OSP 0861	Phipps	09/05/96	
McLennard Jay v. Person County Schools	96 OSP 0862	Phipps	09/04/96	
<i>Sandhill Community College</i>				
Earl Levon Womack v. Sandhill Community College Bd. of Trustees	96 OSP 0573	Phipps	07/25/96	
<i>Office of the State Controller</i>				
Angela M. Terry v. Office of the State Controller	96 OSP 0402	Becton	08/07/96	
<i>Tideland Mental Health Center</i>				
Lisa C. Selfridge v. Tideland Mental Health Center	96 OSP 1144	Smith	02/10/97	
<i>Department of Transportation</i>				
Pearlie M. Simuel-Johnson v. Department of Transportation	94 OSP 0589* <sup>1</sup>	Gray	03/01/96	
Dorothy J. Grays v. Div. of Motor Vehicles, Dept. of Transportation	94 OSP 1044	Reilly	04/12/96	11:03 NCR 173
Bobby R. Mayo v. Department of Transportation	95 OSP 0561* <sup>13</sup>	Reilly	01/08/97	
James H. Broyhill v. Department of Transportation	95 OSP 0673	Gray	12/02/96	
Bobby R. Mayo v. Department of Transportation	95 OSP 0798* <sup>13</sup>	Reilly	01/08/97	
Pearlie M. Simuel-Johnson v. Department of Transportation	95 OSP 0837* <sup>1</sup>	Gray	03/01/96	
Lisa Ann Lee v. Department of Transportation	95 OSP 1099	Reilly	07/31/96	
Melvin Duncan v. Department of Transportation	95 OSP 1462	Morrison	03/08/96	
Greg Brown v. Department of Transportation	96 OSP 0048	Reilly	05/02/96	
Jesse Wayne Castle v. State Highway Maint., Guess Rd., Durham, NC	96 OSP 0087	Gray	04/15/96	
Archie Brooks v. W. F. Rosser, Department of Transportation	96 OSP 0239	Smith	05/17/96	
Jessie L. Allen et al. v. DMV Enforcement Section	96 OSP 0408	Becton	08/12/96	
Dwight Odell Graves v. DOT Maintenance, Caswell County	96 OSP 0616	Morrison	10/24/96	
R L. Singleton v. Department of Transportation	96 OSP 0683	Becton	08/12/96	
William Dean Gillenwater v. Department of Transportation	96 OSP 0684	Gray	12/13/96	
Stephanie Taylor v. Department of Motor Vehicles	96 OSP 0955	Becton	08/29/96	11:13 NCR 1095
James M. Stokes, III v. Department of Transportation	96 OSP 0983	Smith	03/03/97	11:24 NCR 1891
<i>Tri-County Mental Health Complex</i>				
Deborah Heil v. Tri-County Mental Health Complex	95 OSP 1100	Smith	03/22/96	
<i>University of North Carolina</i>				
Gregory Lapicki v. East Carolina University	94 OSP 1721	Reilly	09/26/96	
William C. Neal v. Fayetteville State University	95 OSP 0392	Smith	04/22/96	
Pamela B. Edwards v. University of North Carolina at Chapel Hill	95 OSP 0842	Chess	06/28/96	
Keith R. Cameron v. University of North Carolina at Chapel Hill	95 OSP 1060	Morrison	06/24/96	
Bruce W. Hunt v. Pembroke State University	95 OSP 1288	Becton	12/02/96	
Francina Y. Tate v. Chancellor Julius L. Chambers, NC Central Univ.	95 OSP 1432	Smith	04/22/96	
Renee Lynch v. NC Central University	95 OSP 1461	Smith	10/03/96	11:15 NCR 1255
Jerel H. Bonner v. School of Nursing UNC at Chapel Hill	96 OSP 0026	Gray	03/12/96	11:01 NCR 61
Janice S. Walton v. ASU, Beverly Christian, Joan Critcher, Libby Clawson	96 OSP 0055	West	01/15/97	
Janice S. Walton v. Appalachian St University, Claude Cooper, Bill Ragan	96 OSP 0062	West	03/13/96	
Janice S. Carroll v. Appalachian St University, Claude Cooper, Bill Ragan	96 OSP 0063	West	03/07/96	
Vernell Mitchell v. North Carolina Cooperative Extension	96 OSP 0132	Gray	05/10/96	
Bela E. Karvaly, Ph.D. v. ECU Bd. of Trustees, Ch. Richard R. Eakin	96 OSP 0150	Chess	05/08/96	
Bela E. Karvaly, Ph.D. v. UNC Bd. of Gov., Pres. C.D. Spangler, Jr.	96 OSP 0151	Chess	05/08/96	
Teresa Dail McCaskill v. East Carolina University	96 OSP 0212	Gray	01/10/97	
Carl E. Whigham v. UNC Hospitals at Chapel Hill	96 OSP 0248	Chess	06/11/96	
Gejuan Long v. Winston Salem State University	96 OSP 0253	Gray	01/17/97	
Theresa Louise Whittington v. Appalachian State University	96 OSP 0350	Smith	10/09/96	
Joey M. Carey v. A & T State University	96 OSP 0393	West	10/10/96	
J. Scott Spears v. Ralph Pederson and UNC-C	96 OSP 0548	Chess	08/30/96	
Richard Paul Schneck v. ECU Human Res., Sch. of Med., Psych. Med.	96 OSP 0759	Smith	12/19/96	
Rebecca Williams v. Winston Salem State University	96 OSP 0807	Smith	01/23/97	
Nellie Joyce Ferguson v. UNC Physicians & Assoc., Charles Foskey, Dir.	96 OSP 0977	Phipps	10/02/96	
Kristin K. Parkinson v. Western Carolina University	96 OSP 0987	Becton	10/22/96	
Mae Helen Lewis v. UNC Greensboro - Physical Plant	96 OSP 1000	Reilly	10/21/96	
Frederick A. Parmley v. NCSU Public Safety	96 OSP 1037	Smith	01/14/97	

\* Consolidated cases.

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**CONTESTED CASE DECISIONS**

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<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Donna M. VanHook v. UNC Hospitals at Chapel Hill	96 OSP 1103	Gray	01/29/97	
Tommie Thompson v. UNCG, Physical Plant	96 OSP 1135	Chess	01/29/97	
Harvey Lee Clemmons v. North Carolina State University	96 OSP 1426	Reilly	01/16/97	
Andrew W. Gholson v. North Carolina State University	96 OSP 1730	Reilly	01/15/97	
<b>Wake County Board of Health</b>				
Debbie L. Whitley v. Env. Health Div. Wake Cty. Dept. of Health	96 OSP 1090	Smith	09/05/96	
<b>STATE TREASURER</b>				
Donald B. Durham v. Teachers' & St. Employees Retirement Sys.	92 DST 1066	Chess	07/17/96	11.09 NCR 810
Barbara Dauterman v. Teachers' & St. Employees Retirement Sys.	96 DST 0913	Phipps	03/07/97	
Joyce Clyburn v. Dept. of State Treasurer Retirement Systems Division	96 DST 1087	Smith	10/18/96	
<b>DEPARTMENT OF TRANSPORTATION</b>				
James E. Phillips v. Department of Transportation, Div. of Motor Vehicles	96 DOT 1829	Reilly	12/10/96	
<b>UNIVERSITY OF NORTH CAROLINA</b>				
Sylvia Jeffries v. University of NC Hospitals at Chapel Hill	96 UNC 0067	Gray	04/16/96	
James E. Boudwin v. University of NC Hospitals at Chapel Hill	96 UNC 0343	Chess	07/22/96	
Rufus T. Moore Jr. v. UNC Hospital	96 UNC 0470	Reilly	08/12/96	
Marcia Spruill v. UNC Hospitals - Patient Accounts	96 UNC 0500	Becton	07/10/96	
Charles E. Houlk v. UNC Hospitals	96 UNC 0588	Morrison	08/09/96	

STATE OF NORTH CAROLINA  
COUNTY OF DAVIDSON

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
96 OSP 1700

BARBARA GRAHAM,  
Petitioner,

v.

NC DEPARTMENT OF CORRECTION,  
Respondent.

RECOMMENDED DECISION  
ORDER GRANTING SUMMARY  
JUDGMENT FOR RESPONDENT

This matter came on to be heard by Administrative Law Judge (ALJ) Brenda B. Becton on February 24, 1997, upon consideration of Respondent's Renewed Motion to Dismiss and Motion for Summary Judgment. Based upon the supporting memoranda, the arguments of counsel and the applicable law, the undersigned finds the following:

**FINDINGS OF FACT**

1. Petitioner was employed as a Probation/Parole Officer with the Department of Correction, Division of Adult Probation/Parole in Lexington, Davidson County, North Carolina.

2. On July 1, 1996 Petitioner was issued a letter of termination.

3. Petitioner filed a petition for contested case hearing on October 31, 1996 appealing her dismissal and alleging race discrimination and retaliation.

4. An Order was issued by the ALJ on November 13, 1996 mandating the filing of Prehearing Statements within thirty days. Respondent NCDOC filed a Prehearing Statement and the Document Constituting Agency Action on 10 December 1996. Petitioner did not file a Prehearing Statement.

5. On November 19, 1996, Respondent NCDOC filed a Motion to Dismiss supported by a memorandum. 26 NCAC 3.0115 requires that the "nonmoving party shall have ten days from the date of service of the motion to file a response. A response must be in writing." Petitioner did not respond to this motion.

6. On December 9, 1996, Respondent NCDOC filed a request for a ruling on its motion.

7. On January 2, 1997, the ALJ issued an Order mandating "that the Petitioner shall respond to the above-reference motion on or before January 13, 1997 if the Petitioner desires objections to be considered before a ruling is made."

8. Petitioner sent a one-sentence statement to the Office of Administrative Hearings (OAH) which was filed on January 21, 1997.

9. Counsel for Respondent NCDOC stated that it did not receive a response to its motion from Petitioner. Based on this, Respondent NCDOC filed a Motion to Dismiss for Failure to Prosecute and memorandum in support thereof on January 24, 1997.

10. A telephone conference call was conducted between the ALJ, Petitioner, and counsel for Respondent on or about February 5, 1997. The OAH transmitted a facsimile of Petitioner's letter filed September 30, 1996 on February 5, 1997.

11. Following the conference call, Respondent NCDOC filed a Renewed Motion to Dismiss and memorandum in support thereof addressing the issue of whether Petitioner's letter constituted a petition under N.C. Gen. Stat. § 150B-23.

12. OAH, through the Administrative Law Judge, issued a Scheduling Order allowing discovery and mandating that all discovery be completed by 10 February 1997.

13. 26 N.C.A.C. 3.0112(b) states that any means of discovery available pursuant to the North Carolina Rules

of Civil Procedure, N.C. Gen. Stat. § 1A-1, is allowed.

14. Pursuant to 26 N.C.A.C. 3.0112(f) and Rules 33, 34 and 36, N.C. Gen. Stat. §1A-1 of the North Carolina Rules of Civil Procedure, Respondent NCDOC served the Petitioner with DOC's First Set of Interrogatories, Requests for Admission, and Requests for Production of Documents by certified mail. Petitioner Graham signed the return receipt on 3 January 1997, a copy of which is attached to Respondent's Motions to Compel and for Summary Judgment.

15. Pursuant to 26 NCAC 3.0112(f), Petitioner had no later than 15 days from receipt of Respondent's notice requesting discovery to either object to the request, provide the information, or offer a schedule for reasonable compliance with the request.

16. Petitioner failed to object, respond, or submit a schedule of reasonable compliance.

17. On 5 February 1997, Respondent filed a Motion to Compel Petitioner's responses to discovery pursuant to Rule 37(a) of the North Carolina Rules of Civil Procedure.

### **CONCLUSIONS OF LAW**

1. The letter filed by Petitioner within thirty days of receipt of the letter notifying Petitioner her termination was upheld by the NCDOC's Employee Relations Committee and stating her appeal rights tolls the statute of limitations and is deemed timely filed.

2. The Rules of Civil Procedure provide that, unless otherwise limited by order of the court in accordance with those rules, parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in a pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party. It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence, nor is it grounds for objection that the examining party has knowledge of the information as to which discovery is sought. N.C. GEN. STAT. § 1A-1, Rule 26(b)(1).

Pursuant to 26 NCAC 3.0112(f), Petitioner had no later than 15 days from receipt of Respondent's notice requesting discovery to either object to the request, provide the information, or offer a schedule for reasonable compliance with the request. Petitioner failed to perform any of these available actions. As provided in 26 NCAC 3.0114, the ALJ may dismiss the petition if a party fails to comply with an interlocutory order of the ALJ.

Dismissal of an action has been upheld by several cases decided by the North Carolina Court of Appeals. In *Hammer v. Allison*, 20 N.C. App. 623, 202 S.E.2d 307 (1974), *cert. denied* 285 N.C. 233, 204 S.E.2d 23, the Court of Appeals ruled that where plaintiff was properly served with interrogatories but refused to answer them without good cause, did not serve on defendant objections to any of the interrogatories or ask for an extension of time to answer, the trial court properly dismissed plaintiff's action. In *Hayes v. Browne*, 76 N.C. App. 98, 331 S.E.2d 763 (1985), *rev. denied* 315 N.C. 587, 341 S.E.2d 25, the Court of Appeals ruled that the trial court's dismissal of the action did not constitute an abuse of discretion or deny plaintiff due process. In *Silverthorne v. Coastal Land Co.*, 42 N.C. App. 134, 256 S.E.2d 397 (1979), *cert. denied* 298 N.C. 300, 259 S.E.2d 302, the court noted that plaintiffs could not excuse their failure to comply with discovery by claiming that they were not represented by an attorney since the claim arose by their own choice. Although Petitioner Graham asserted this same reason for not complying with orders of the OAH as well as responding to motions and discovery, this does not constitute justification for her repeated noncompliance.

In *Cheek v. Poole*, 121 N.C. App. 370 (1996), the Court of Appeals ruled that the sanction of dismissal was not an abuse of discretion since the Plaintiff never objected to the discovery requests, had established a pattern of disregarding due dates for responding, the sanction of dismissal is specifically authorized by Rule 37, and the Defendant is not required to show that it was prejudiced by Plaintiff's actions in order to obtain sanctions. In this instance, Petitioner Graham did not object to the discovery requests, did not comply with the OAH's orders to file a Prehearing Statement or a response to Respondent NCDOC's motion to dismiss by January 13, 1997, and did not inform the OAH or move for a continuance to obtain the assistance of counsel.

The court may deem the statements in the request for admission as admitted based on Petitioner's failure to respond. *Chapel Hill v. Burchette*, 100 N.C. App. 157, 394 S.E.2d 698 (1990). Rule 36 provides in pertinent part that a party may serve upon any other party a written request for the admission of the truth of any discoverable matters. The matter is admitted

unless the party serves a written answer or objection to the matter signed by the party or by his attorney. Rule 36 means "precisely what it says." *Overnite Transportation Co. v. Styer*, 57 N.C. App. 146, 291 S.E.2d 179 (1982). In this case, Petitioner Graham admits the following requests for admissions in which the pronoun "you" refers to Barbara Graham:

That you signed the North Carolina Department of Correction Internal Investigation form on March 28, 1996 acknowledging that you understand that you were expected to cooperate with the investigation and provide complete and accurate information, that your failure to cooperate with the investigation would constitute unacceptable personal conduct, and that the penalty for providing false or purposefully misleading information may be dismissal.

During the investigation you admitted making two (2) personal long distance telephone calls on the state telephone network.

You stated to Gregory Briggs, Judicial District Manager, that you made no other personal phone calls on the state telephone network.

You submitted two separate memos dated April 18, 1996 and May 8, 1996 in which you admitted to having made a total of forty (40) personal long distance telephone calls on the state network.

These forty (40) personal long distance telephone calls were made by you during the months of February and March, 1996.

You provided false information during the internal investigation.

Your use of the state telephone network to make long distance telephone calls is unacceptable personal conduct sufficient alone to constitute just cause for your dismissal.

On November 13, 1995 another investigation was initiated in a matter involving you and you were placed on administrative reassignment until further notice. A letter dated November 13, 1995 from Robert C. Little to you explained that you had been relieved of certain duties including supervision of your case load and that without instruction from your supervisor, you were not to perform these stated duties.

You prepared a Modification Order for offender Matt Youngblood and signed it on April 26, 1996. This order transferred Matt Youngblood to unsupervised probation.

On June 3, 1996, you admitted to making telephone calls on Mr. Youngblood's behalf during February 1996.

On June 3, 1996, you also admitted to preparing the transfer of offender Youngblood to unsupervised probation during the period of time you were on administrative reassignment.

David Hartley, Chief Probation/Parole Officer, did not give you permission to engage in these supervision activities.

Your actions in April 1996 concerning transferring offender Matt Youngblood to unsupervised probation directly contravened the letter dated November 13, 1995 to you informing you that you were not to perform supervisory tasks.

Your actions constitute insubordination and as such are unacceptable personal conduct sufficient alone to warrant dismissal.

Each allegation alone constitutes unacceptable personal conduct warranting dismissal. *See Respondent's discovery attached to Motions to Compel and for Summary Judgment.* By failing to respond to Respondent's requests for admissions, Petitioner allowed the actions of misconduct to be judicially established.

State employees may be dismissed on the basis of unacceptable personal conduct *without* any prior warning. 25 NCAC 1J .0608(a). Petitioner has admitted committing the above-referenced actions and that they constitute improper personal conduct.

A motion for summary judgment must be granted if there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law. N.C. R. Civ. P. 56(c); *Wilder v. Hobson*, 101 N.C. App. 199, 398 S.E.2d 625 (1990). The moving party's burden to show that no genuine issue of material fact exists may be met by use of affidavits,

exhibits, depositions, and other discovery materials, showing that an essential element of the other party's claim is nonexistent or that the non-movant cannot produce evidence to support an essential element of his claim. *Bone International, Inc. v. Brooks*, 304 N.C. 371, 283 S.E.2d 518 (1981); *Taylor v. Ashburn*, 112 N.C. App. 604, 436 S.E.2d 276 (1993); *Rorrer v. Cooke*, 313 N.C. 338, 329 S.E.2d 355 (1985).

Based on Petitioner's failure to comply with discovery according to the Rules of Civil Procedure and regulations governing proceedings in the Office of Administrative Hearings, Respondent is entitled to a decision recommending that summary judgment be granted in its favor.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned makes the following:

**RECOMMENDED DECISION**

That Respondent's Renewed Motion to Dismiss is DENIED and Respondent's Motion for Summary Judgment is hereby GRANTED.

**ORDER**

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P. O. Drawer 27447, Raleigh, NC 27611-7447, in accordance with N.C. Gen. Stat. § 150B-36(b).

**NOTICE**

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. N.C. Gen. Stat. § 150B-36(a). The agency is required by N.C. Gen. Stat. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record and to the Office of Administrative Hearings. The agency that will make the final decision in this contested case is the State Personnel Commission.

This the 7th day of March, 1997.

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Brenda B. Becton  
Administrative Law Judge

*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
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		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Practicing Psychologists	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.

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This index provides information related to notices, rules and other documents published in the Register. The information provided below includes notices and rules published on or after December 1, 1995 and will be cumulative through March 1997. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

## ACUPUNCTURE LICENSING BOARD

21 NCAC 01 .0101	11:18 NCR 1368									
21 NCAC 01 .0301		10:22 NCR 2860	Temp. Expired							
21 NCAC 01 .0702			10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0703			10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0704			10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0705	10:17 NCR 2228		10:22 NCR 2834	*	Approve	04/18/96	*		11:04 NCR 220	
21 NCAC 01 .0706			10:16 NCR 2027	*	Approve	02/20/97	*			
21 NCAC 01 .0707			10:16 NCR 2027	*	Approve	02/20/97	*			
21 NCAC 01 .0709	10:17 NCR 2228		10:22 NCR 2834	*	Approve	04/18/96	*		11:04 NCR 220	
21 NCAC 01 .0710			10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0711			10:16 NCR 2027	*	Approve	01/16/97	*			

## ADMINISTRATIVE HEARINGS

<b>Hearings Division</b>										
26 NCAC 03 .0301	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0302	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0303	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0304	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0305	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
<b>Rules Division</b>										
26 NCAC 02C	11:19 NCR 1413									
26 NCAC 02C .0102	11:09 NCR 570		11:13 NCR 1058	*	Approve	12/19/96			11:20 NCR 1569	
26 NCAC 02C .0103	11:09 NCR 570		11:13 NCR 1058	*	Approve	12/19/96	*		11:20 NCR 1569	
26 NCAC 02C .0111	11:09 NCR 570		11:13 NCR 1058	*	Approve	12/19/96			11:20 NCR 1569	
26 NCAC 02C .0307	11:09 NCR 570		11:13 NCR 1058	*	Approve	12/19/96	*		11:20 NCR 1569	

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26 NCAC 02C .0401	11:09 NCR 570		11:13 NCR 1058	*	Approve	12/19/96	*		11:20 NCR 1569	
26 NCAC 02C .0502	11:09 NCR 570		11:13 NCR 1058	*	Approve	12/19/96	*		11:20 NCR 1569	
<b>ADMINISTRATION</b>										
1 NCAC 39 .0101	10:16A NCR 1672		11:14 NCR 1111	*	Approve	12/19/96				
1 NCAC 39 .0201	10:16A NCR 1672		11:14 NCR 1111	*	Approve	12/19/96				
<b>State Building Commission</b>										
1 NCAC 30G .0101		11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97				
1 NCAC 30G .0102		11:04 NCR 194	11:19 NCR 1414	*	Object	03/20/97				
1 NCAC 30G .0103		11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97	*			
1 NCAC 30G .0104		11:04 NCR 194	11:19 NCR 1414	S/L	Object	03/20/97				
1 NCAC 30G .0105		11:04 NCR 194	11:19 NCR 1414	S/L	Approve	03/20/97				
<b>AGRICULTURE</b>										
2 NCAC 09C .0701	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*	Approve	12/19/96			11:20 NCR 1569	
2 NCAC 09C .0702	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*	Approve	12/19/96			11:20 NCR 1569	
2 NCAC 09C .0704	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*	Approve	12/19/96			11:20 NCR 1569	
2 NCAC 48A .0206	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96	*			
2 NCAC 48A .0211	10:24 NCR 3056		11:06 NCR 324	*	Approve	01/16/97			11:22 NCR 1717	
2 NCAC 48A .0214	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96	*		11:22 NCR 1717	
2 NCAC 48A .1103	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96			11:22 NCR 1717	
2 NCAC 48A .1110	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96	*		11:20 NCR 1569	
2 NCAC 48B .0112	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96	*		11:20 NCR 1569	
2 NCAC 48B .0114	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96	*		11:20 NCR 1569	
2 NCAC 48B .0119	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96			11:20 NCR 1569	
2 NCAC 48B .0120	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96			11:20 NCR 1569	
2 NCAC 52B .0201	10:24 NCR 3056		11:06 NCR 324	*	Approve	12/19/96	*		11:20 NCR 1569	
2 NCAC 52B .0212	11:14 NCR 1107		11:22 NCR 1709	*	Approve	12/19/96	*		11:20 NCR 1569	
2 NCAC 52B .0303	11:14 NCR 1107		11:22 NCR 1709	*	Approve	12/19/96			11:20 NCR 1569	
2 NCAC 52C .0701	11:14 NCR 1107		11:22 NCR 1709	*	Approve	12/19/96			11:20 NCR 1569	

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## **Marketing Authority**

2 NCAC 43F .0003	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43H .0001	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43H .0007	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43L .0202	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43L .0401	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43L .0402	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43L .0403	11:14 NCR 1107		11:22 NCR 1706	*						
2 NCAC 43L .0405	11:14 NCR 1107		11:22 NCR 1706	*						

## **Plant Conservation Board**

2 NCAC 48F .0301	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97				
2 NCAC 48F .0302	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97				
2 NCAC 48F .0304	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*			
2 NCAC 48F .0305	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*			
2 NCAC 48F .0306	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*			

## **Structural Pest Control**

2 NCAC 34 .0503		11:21 NCR 1651								
2 NCAC 34 .0602		11:21 NCR 1651								
2 NCAC 34 .0604		11:21 NCR 1651								
2 NCAC 34 .0605		11:21 NCR 1651								

## **AUCTIONEERS LICENSING BOARD**

21 NCAC 04B .0202	11:18 NCR 1368									
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## **COMMERCE**

4 NCAC 01E	11:09 NCR 569									
4 NCAC 01F	11:09 NCR 569									
4 NCAC 01H	11:09 NCR 569									
4 NCAC 01I	11:09 NCR 569									
4 NCAC 01J	11:09 NCR 569									
4 NCAC 01K	11:09 NCR 569									

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Community Assistance										
4 NCAC 01K .0501	11:09 NCR 569									
4 NCAC 01K .0502	11:09 NCR 569									
4 NCAC 01K .0503	11:09 NCR 569									
4 NCAC 01K .0504	11:09 NCR 569									
4 NCAC 01K .0505	11:09 NCR 569									
4 NCAC 01K .0506	11:09 NCR 569									
4 NCAC 19L .0401	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0403	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0404	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0407	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0501	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0502	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0505	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0706	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0707	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0708	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0802	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0805	11:09 NCR 569									
4 NCAC 19L .0901	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0906	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0907	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0911	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1002	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1004	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1009	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1011	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1301	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1302	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1303	11:09 NCR 569		11:14 NCR 1113	*						

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4 NCAC 19L .1701	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1702	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1703	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1801	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1802	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1803	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1804	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1805	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1900	11:09 NCR 569		11:14 NCR 1113	*						
<b>Credit Union Division</b>										
4 NCAC 06C .0205	10:18 NCR 2398									
4 NCAC 06C .0407	10:18 NCR 2398									
4 NCAC 06C .0409	10:18 NCR 2398									
<b>Energy</b>										
4 NCAC 12C .0007					Approve	07/18/96			11:10 NCR 843	
<b>State Ports Authority</b>										
4 NCAC 13A .0101	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0102	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0105	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0202	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0203	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0204	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0001	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0002	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0003	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0004	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0005	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13C .0001	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13D .0101	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0101	10:24 NCR 3056		11:13 NCR 1040	*						

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4 NCAC 13E .0102	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0103	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0201	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0202	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0301	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0302	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0401	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0402	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0403	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0404	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0405	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0501	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0502	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0601	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0602	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0603	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0701	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0702	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0801	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0803	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0901	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0902	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13F .0301	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13F .0302	10:24 NCR 3056		11:13 NCR 1040	*						
<b>COMMUNITY COLLEGES</b>										
23 NCAC 01A .0001	11:18 NCR 1369	11:25 NCR 1919			Approve	01/16/97			11:22 NCR 1717	Notice Not Required
23 NCAC 01B .0001					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
23 NCAC 01B .0004					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
23 NCAC 01B .0005					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
23 NCAC 01B .0008					Approve	01/16/97			11:22 NCR 1717	Notice Not Required

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23 NCAC 02C .0108	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02C .0202	11:18 NCR 1369									
23 NCAC 02C .0207	11:18 NCR 1369									
23 NCAC 02C .0304					Object Approve	01/16/97 02/20/97	*		11:24 NCR 1832	Notice Not Required
23 NCAC 02C .0305	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02C .0604	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02C .0701	11:18 NCR 1369									
23 NCAC 02D .0103	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0104					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
23 NCAC 02D .0201	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0202	11:17 NCR 1336									
23 NCAC 02D .0202	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0203	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0301	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0323	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0324	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02D .0325	10:24 NCR 3058		11:09 NCR 585	*	Approve	11/21/96	*		11:19 NCR 1449	
23 NCAC 02D .0327	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0101	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0102	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0201	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0203	10:24 NCR 3058		11:09 NCR 585	*	Object Approve	01/16/97 02/20/97	*		11:24 NCR 1832	
23 NCAC 02E .0203	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0204	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0205	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0501	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 02E .0604	11:18 NCR 1369	11:25 NCR 1919								
23 NCAC 03A .0113	10:24 NCR 3058		11:09 NCR 585	*	Approve	11/21/96	*		11:19 NCR 1449	

## **CRIME CONTROL & PUBLIC SAFETY**

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14A NCAC 07 .0313	11:24 NCR 1818									
<b>CULTURAL RESOURCES</b>										
USS North Carolina Battleship Commission										
7 NCAC 05 .0202	10:18 NCR 2398		11:04 NCR 188	*	Approve	12/19/96			11:20 NCR 1569	
7 NCAC 05 .0203	10:18 NCR 2398		11:04 NCR 188	*	Approve	12/19/96			11:20 NCR 1569	
7 NCAC 05 .0203		11:19 NCR 1436								
7 NCAC 05 .0204	10:18 NCR 2398		11:04 NCR 188	*	Approve	12/19/96			11:20 NCR 1569	
7 NCAC 05 .0207	10:18 NCR 2398		11:04 NCR 188	*	Approve	12/19/96			11:20 NCR 1569	
<b>DENTAL EXAMINERS</b>										
21 NCAC 16B .0303	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16I .0001	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16I .0002	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16I .0003	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16I .0004	11:20 NCR 1538									
21 NCAC 16I .0005	11:20 NCR 1538									
21 NCAC 16I .0006	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16M .0001	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16M .0003	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16R .0001	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16R .0002	11:20 NCR 1538									
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0004	11:20 NCR 1538		11:25 NCR 1915	*						
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16V .0101	10:16 NCR 2043		11:20 NCR 1556	*						Notice Subject Matter
21 NCAC 16V .0102	10:16 NCR 2043		11:20 NCR 1556	*						Notice Subject Matter
<b>ENVIRONMENT, HEALTH, AND NATURAL RESOURCES</b>										
15A Public Notice										11:01 NCR 2
15A Public Notice										11:09 NCR 590
15A NCAC 01K	10:19 NCR 2506									

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15A NCAC 01M .0101		11:06 NCR 368								
15A NCAC 01M .0101		11:19 NCR 1439								
15A NCAC 01M .0102		11:06 NCR 368								
15A NCAC 01M .0102		11:19 NCR 1439								
15A NCAC 01M .0201		11:06 NCR 368								
15A NCAC 01M .0201		11:19 NCR 1439								
15A NCAC 01M .0202		11:06 NCR 368								
15A NCAC 01M .0202		11:19 NCR 1439								
15A NCAC 01M .0301		11:06 NCR 368								
15A NCAC 01M .0301		11:19 NCR 1439								
15A NCAC 01M .0302		11:06 NCR 368								
15A NCAC 01M .0302		11:19 NCR 1439								
15A NCAC 01M .0303		11:06 NCR 368								
15A NCAC 01M .0303		11:19 NCR 1439								
15A NCAC 01M .0304		11:06 NCR 368								
15A NCAC 01M .0304		11:19 NCR 1439								
15A NCAC 01M .0305		11:06 NCR 368								
15A NCAC 01M .0305		11:19 NCR 1439								
15A NCAC 01M .0306		11:06 NCR 368								
15A NCAC 01M .0306		11:19 NCR 1439								
<b>Coastal Resources Commission</b>										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0104	10:24 NCR 3045		11:07 NCR 409	*	Object	11/21/96				11:09 NCR 575
15A NCAC 07H .0106	10:16 NCR 1921		11:04 NCR 190	*	Approve	12/19/96	*			11:20 NCR 1569
15A NCAC 07H .0106	11:19 NCR 1408				Approve	09/19/96	*			Notice Subject Matter
15A NCAC 07H .0201	11:22 NCR 1704									
15A NCAC 07H .0202	11:22 NCR 1704									
15A NCAC 07H .0203	11:22 NCR 1704									
15A NCAC 07H .0204	11:22 NCR 1704									

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15A NCAC 07H .0205	11:22 NCR 1704									
15A NCAC 07H .0206	11:22 NCR 1704									
15A NCAC 07H .0207	11:22 NCR 1704									
15A NCAC 07H .0208	11:22 NCR 1704									
15A NCAC 07H .0208	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0208	11:19 NCR 1408									
15A NCAC 07H .0304	10:24 NCR 3045		11:07 NCR 409	*	Object Approve	11/21/96 12/19/96	*			11:09 NCR 575 11:20 NCR 1569
15A NCAC 07H .0304	11:15 NCR 1200	11:15 NCR 1226								
15A NCAC 07H .0305	11:15 NCR 1200	11:15 NCR 1226								
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0309	11:08 NCR 442		11:12 NCR 981	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 07H .1104	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1202	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1204	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1205	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1304	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1404	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1504	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1600	11:15 NCR 1200		11:11 NCR 907	*						
15A NCAC 07H .1704	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1804	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1904	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .2004	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .2104	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07J .0102	10:24 NCR 3045		11:04 NCR 190	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 07K .0203	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07M .0301	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0302	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0303	10:16B NCR 1921		11:11 NCR 907	*						

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15A NCAC 07M .0304	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0305	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0306	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0307	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0308	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0309	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0401	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0402	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0403	10:18 NCR 2317		11:11 NCR 931	*	Object	01/16/97	*		11:24 NCR 1832	
15A NCAC 07M .1200	11:19 NCR 1408				Approve	02/20/97	*			
<b>Environmental Management Commission</b>										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0101	11:24 NCR 1818									
15A NCAC 02B .0202	11:24 NCR 1818									
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0224	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0229	11:03 NCR 109		11:09 NCR 572	*	Object	11/21/96	*		11:20 NCR 1569	
15A NCAC 02B .0229	11:24 NCR 1818				Approve	12/19/96				
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824	L/S/E						
			11:14 NCR 1136							
15A NCAC 02B .0232	11:02 NCR 75		11:10 NCR 824	L						
			11:14 NCR 1136							
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L						
			11:14 NCR 1136							
15A NCAC 02B .0234	11:02 NCR 75		11:10 NCR 824	*						
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15A NCAC 02B .0235	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	*						
15A NCAC 02B .0236	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L						
15A NCAC 02B .0237					Approve	12/19/96			11:21 NCR 1682	
15A NCAC 02B .0303	10:18 NCR 2400			*						
15A NCAC 02B .0304	11:24 NCR 1818									
15A NCAC 02B .0305	11:20 NCR 1534									
15A NCAC 02B .0308	11:20 NCR 1534									
15A NCAC 02B .0313	11:24 NCR 1818									
15A NCAC 02B .0315	11:02 NCR 75				Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02B .0315	11:24 NCR 1818		11:09 NCR 572	L						
15A NCAC 02B .0316	11:20 NCR 1534									
15A NCAC 02C .0211					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
15A NCAC 02C .0213					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
15A NCAC 02C .0214					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
15A NCAC 02D .0101	11:15 NCR 1200									
15A NCAC 02D .0104	11:15 NCR 1200									
15A NCAC 02D .0105	11:15 NCR 1200									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0202	11:15 NCR 1200									
15A NCAC 02D .0302	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0518	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0524	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0525	11:15 NCR 1200									

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					Action	Date				
15A NCAC 02D .0530	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0531	11:15 NCR 1200									
15A NCAC 02D .0535	10:18 NCR 2317		11:16 NCR 1271	*						
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0902	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0902	11:19 NCR 1408									
15A NCAC 02D .0907	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0909	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0909	11:19 NCR 1408									
15A NCAC 02D .0910	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0911	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0946	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .0948	11:19 NCR 1408									
15A NCAC 02D .0949	11:19 NCR 1408									
15A NCAC 02D .0950	11:19 NCR 1408									
15A NCAC 02D .0951	11:19 NCR 1408									
15A NCAC 02D .0953	11:15 NCR 1200									
15A NCAC 02D .0954	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1005	11:15 NCR 1200									

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15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1107	11:15 NCR 1200									
15A NCAC 02D .1110	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02D .1111	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02D .1201	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1202	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1203	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1204	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1205	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1206	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1207	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1208	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1209	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1402	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .1403	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02D .1500	11:19 NCR 1408									
15A NCAC 02D .1902	11:19 NCR 1408									
15A NCAC 02D .1903	11:19 NCR 1408									
15A NCAC 02D .2200	11:15 NCR 1200									
15A NCAC 02H .0225	11:15 NCR 1200	11:15 NCR 1225	11:20 NCR 1550	*						
15A NCAC 02H .0610	11:08 NCR 442									
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L	11:15 NCR 1200									
	11:15 NCR 1204									
15A NCAC 02L .0106		10:19 NCR 2508	11:21 NCR 1639	*						
15A NCAC 02L .0115	11:15 NCR 1200		11:21 NCR 1639	L						

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15A NCAC 02L.0202	11:15 NCR 1204									
15A NCAC 02N.0202	10:20 NCR 2591									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02N.0701	11:15 NCR 1200		11:21 NCR 1639	*						
15A NCAC 02N.0707	11:15 NCR 1204		11:21 NCR 1639	*						
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P.0402	11:15 NCR 1204	10:19 NCR 2512	11:21 NCR 1639	*						
15A NCAC 02Q.0102			11:06 NCR 350	*						
15A NCAC 02Q.0102	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02Q.0102	11:19 NCR 1408									
15A NCAC 02Q.0104	10:24 NCR 2400		11:08 NCR 472	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 02Q.0107	10:18 NCR 2400		11:08 NCR 472	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02Q.0207	11:19 NCR 1408									
15A NCAC 02Q.0312	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q.0313	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q.0507	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02Q.0512	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02Q.0514	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02Q.0515	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02Q.0517	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 02Q.0525	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q.0527	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q.0607	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q.0700	11:08 NCR 442		11:16 NCR 1271	*						
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NPDES Permits										11:06 NCR 317
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15A NCAC 13A.0101	11:16 NCR 1269		11:20 NCR 1552	*						
15A NCAC 13A.0105	11:16 NCR 1269		11:20 NCR 1552	*						
15A NCAC 13A.0107	11:16 NCR 1269		11:20 NCR 1552	*						

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15A NCAC 13A .0112	11:16 NCR 1269		11:20 NCR 1552	*						
15A NCAC 13A .0119	11:16 NCR 1269		11:20 NCR 1552	*						
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13C .0301	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0302	10:18 NCR 2317		11:06 NCR 357	*	Object	09/19/96	*			
					Approve	11/21/96			11:19 NCR 1449	
15A NCAC 13C .0303	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0304	10:18 NCR 2317		11:06 NCR 357	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 13C .0305	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0306	10:18 NCR 2317		11:06 NCR 357	*	Object	09/19/96	*			
					Approve	11/21/96			11:19 NCR 1449	
15A NCAC 13C .0307	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0308	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 18A	11:04 NCR 183			*	Approve	09/19/96	*			
15A NCAC 18A .0134	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*			
					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .0134					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0136	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0137	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0159	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0168	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96				
					Object	12/19/96	*			
					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .0168					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0169	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0173	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 18A .0174	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0175	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0176	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0182	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*			
					Approve	01/16/97			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .0182					Approve	01/16/97			11:22 NCR 1717	

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15A NCAC 18A .0184	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0185	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0186	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	
15A NCAC 18A .0187	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:20 NCR 1569	
15A NCAC 18A .0301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
15A NCAC 18A .0301	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0302	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	Notice Not Required
15A NCAC 18A .0401	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97	*		11:20 NCR 1569	
15A NCAC 18A .0421	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0424	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
15A NCAC 18A .0425	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:20 NCR 1569	
15A NCAC 18A .0614	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0614	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .0615	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0616	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0617	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 18A .0618	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0618	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .0620	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0621	11:08 NCR 442		11:12 NCR 987	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .0901	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .1301	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .1302	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	Notice Not Required
15A NCAC 18A .1301	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .1302	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	Notice Not Required
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:20 NCR 1569	
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96			11:22 NCR 1717	Notice Not Required
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	

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15A NCAC 18A .1805	11:04 NCR 183		11:09 NCR 576	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 18A .1814					Approve	04/18/96			11:04 NCR 209	
15A NCAC 18A .1937	11:19 NCR 1408	11:20 NCR 1561								
15A NCAC 18A .1938	11:19 NCR 1408	11:20 NCR 1561								
15A NCAC 18A .1958	11:19 NCR 1408	11:20 NCR 1561								
15A NCAC 18A .1961	11:19 NCR 1408	11:20 NCR 1561								
15A NCAC 18A .2601		11:01 NCR 24	11:05 NCR 273	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 18A .2701					Approve	06/20/96	*		11:08 NCR 536	
15A NCAC 19A .0203	11:21 NCR 1638				Approve	04/18/96			11:04 NCR 209	
15A NCAC 20D .0243										
15A NCAC 21H .0111		11:06 NCR 371								
15A NCAC 21H .0113		11:06 NCR 371								
15A NCAC 21I .0101		11:07 NCR 422	11:20 NCR 1552							
15A NCAC 21J .0101		11:07 NCR 422	11:20 NCR 1552							
15A NCAC 24A .0202		11:24 NCR 1827								
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
<b>Marine Fisheries Commission</b>										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03I .0101	11:07 NCR 407		11:11 NCR 888	*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 03I .0105	11:07 NCR 407		11:11 NCR 888	*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 03I .0019			10:21 NCR 2737	*	Approve	05/16/96	*			
15A NCAC 03J .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03J .0401			10:21 NCR 2688	*	Approve	05/16/96	*			

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15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0201	11:07 NCR 407		11:11 NCR 888	*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 03M .0202	11:03 NCR 110	11:11 NCR 938		*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 03M .0204		11:14 NCR 1153	11:18 NCR 1371	*						
15A NCAC 03M .0503	11:07 NCR 407		11:11 NCR 938	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 03M .0503		11:18 NCR 1383								
15A NCAC 03M .0504	11:03 NCR 110	11:11 NCR 938		*	Approve	12/19/96	*		11:20 NCR 1569	
		11:14 NCR 1153								
15A NCAC 03M .0506	11:07 NCR 407		11:11 NCR 888	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 03M .0506		11:18 NCR 1383								
15A NCAC 03M .0507		11:11 NCR 938		*						
15A NCAC 03M .0511	11:03 NCR 110	11:11 NCR 938		*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 03M .0514		11:18 NCR 1383								
15A NCAC 03R .0106	11:07 NCR 407		11:11 NCR 888	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 03R .0107	11:07 NCR 407		11:11 NCR 888	*	Approve	12/19/96			11:20 NCR 1569	
<b>Parks and Recreation</b>										
15A NCAC 12B .1206	10:18 NCR 2317		11:12 NCR 985	*	Object	11/21/96	*		11:20 NCR 1569	
<b>Soil and Water Conservation</b>										
15A NCAC 06E .0102	11:08 NCR 442		11:12 NCR 979	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 06E .0102		11:12 NCR 1004								
15A NCAC 06E .0103	11:08 NCR 442		11:12 NCR 979	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 06E .0105		11:12 NCR 1004								
<b>Water Pollution Control System Operators Certification Commission</b>										
15A NCAC 08F .0101		11:19 NCR 1442								
15A NCAC 08F .0102		11:19 NCR 1442								
15A NCAC 08F .0201		11:19 NCR 1442								
15A NCAC 08F .0202		11:19 NCR 1442								
15A NCAC 08F .0203		11:19 NCR 1442								
15A NCAC 08F .0301		11:19 NCR 1442								
15A NCAC 08F .0401		11:19 NCR 1442								

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15A NCAC 08F .0403		11:19 NCR 1442								
15A NCAC 08F .0404		11:19 NCR 1442								
15A NCAC 08F .0405		11:19 NCR 1442								
15A NCAC 08F .0406		11:19 NCR 1442								
15A NCAC 08F .0407		11:19 NCR 1442								
15A NCAC 08F .0501		11:19 NCR 1442								
15A NCAC 08F .0502		11:19 NCR 1442								
15A NCAC 08F .0503		11:19 NCR 1442								
15A NCAC 08F .0504		11:19 NCR 1442								
15A NCAC 08F .0505		11:19 NCR 1442								
15A NCAC 08F .0506		11:19 NCR 1442								
<b>Wildlife Resources Commission</b>										
15A NCAC 10B .0106	11:02 NCR 76		11:08 NCR 495	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10B .0113	11:07 NCR 408		11:12 NCR 983	*	Approve	12/19/96	*		11:20 NCR 1569	
15A NCAC 10B .0115	11:07 NCR 408		11:12 NCR 984	*	Approve	12/19/96			11:20 NCR 1569	
15A NCAC 10B .0115	11:11 NCR 882									
15A NCAC 10B .0116	11:12 NCR 959		11:18 NCR 1372	*						
15A NCAC 10B .0123	11:02 NCR 76		11:08 NCR 495	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10B .0203	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 10B .0208	11:02 NCR 76		11:08 NCR 495	*						
15A NCAC 10B .0209	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96			11:19 NCR 1449	
15A NCAC 10C .0107	11:02 NCR 76									
15A NCAC 10C .0205	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 10C .0305	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 10C .0401	11:02 NCR 76									
15A NCAC 10C .0401	11:07 NCR 408			*						
15A NCAC 10D .0002	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*		11:19 NCR 1449	
15A NCAC 10D .0003	11:02 NCR 76		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0102	10:19 NCR 2506									

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15A NCAC 10F .0103	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0104	10:19 NCR 2506		11:01 NCR 14	*	Approve	08/15/96	*		11:12 NCR 1006	
15A NCAC 10F .0105	10:19 NCR 2506		11:01 NCR 14	*	Approve	08/15/96	*		11:12 NCR 1006	
15A NCAC 10F .0106	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0107	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0109	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0300	11:01 NCR 13									
15A NCAC 10F .0302	11:05 NCR 272		11:14 NCR 1150	*	Approve	03/20/97	*			
15A NCAC 10F .0303	10:24 NCR 3057		11:06 NCR 355	*	Approve	09/19/96			11:14 NCR 1156	
15A NCAC 10F .0305	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96			11:10 NCR 843	
15A NCAC 10F .0307	11:02 NCR 76		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10F .0307	11:08 NCR 451		11:14 NCR 1150	*	Approve	03/20/97	*			
15A NCAC 10F .0308	11:21 NCR 1638									
15A NCAC 10F .0310	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96			11:10 NCR 843	
15A NCAC 10F .0310	10:24 NCR 3057		11:06 NCR 355	*	Approve	09/19/96			11:14 NCR 1156	
15A NCAC 10F .0317	11:13 NCR 1039		11:19 NCR 1427	*						
15A NCAC 10F .0327	11:14 NCR 1109		11:20 NCR 1551	*						
15A NCAC 10F .0339	11:13 NCR 1039		11:19 NCR 1427	*						
15A NCAC 10F .0339	11:21 NCR 1638									
15A NCAC 10F .0342	10:19 NCR 2506		11:01 NCR 14	*	Withdrawn/Agcy	07/18/96				
15A NCAC 10F .0348	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0355	11:25 NCR 1905									
15A NCAC 10F .0367	11:16 NCR 1269									
15A NCAC 10G	11:01 NCR 13									
15A NCAC 10G .0100	11:02 NCR 76									
15A NCAC 10G .0102	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0103	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0202	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0203	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0206	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	

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15A NCAC 10G .0302	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0303	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0401	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0402	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10G .0403	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10G .0404	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10G .0501	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 101 .0001	10:22 NCR 2829		11:04 NCR 191	*	Approve	09/19/96			11:14 NCR 1156	
15A NCAC 101 .0002	11:02 NCR 76		11:08 NCR 495	*	Approve	10/17/96	*		11:16 NCR 1291	11:03 NCR 104 11:04 NCR 182 11:23 NCR 1778
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Wildlife Proclamation										
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Voting Rights Act										11:18 NCR 1367
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Voting Rights Act										11:24 NCR 1814
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21 NCAC 12 .0202		11:24 NCR 1828								
21 NCAC 12 .0204	10:22 NCR 2829	11:06 NCR 372	11:09 NCR 583	*	Approve	10/17/96			11:16 NCR 1291	
21 NCAC 12 .0503	10:22 NCR 2829	11:06 NCR 372	11:09 NCR 584	*	Approve	10/17/96	*		11:16 NCR 1291	
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 24 NCAC 01P .0102 11:14 NCR 1154  
 24 NCAC 01P .0103 11:14 NCR 1154  
 24 NCAC 01P .0201 11:14 NCR 1154  
 24 NCAC 01P .0202 11:14 NCR 1154  
 24 NCAC 01P .0203 11:14 NCR 1154

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10 NCAC 41P .0013 11:06 NCR 323  
 10 NCAC 01B 11:23 NCR 1779

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10 NCAC 22 10:23 NCR 2956

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10 NCAC 03U .0102 10:20 NCR 2593

10 NCAC 03U .0302 11:24 NCR 1817  
 10 NCAC 03U .0506 11:24 NCR 1817  
 10 NCAC 03U .0509 11:24 NCR 1817

11:12 NCR 966 L Approve 12/19/96 \* 11:20 NCR 1569

11:10 NCR 819 S Object Approve 10/17/96 11/21/96 \* 11:19 NCR 1449

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10 NCAC 03U .0601	11:24 NCR 1817									
10 NCAC 03U .0602	11:24 NCR 1817									
10 NCAC 03U .0604	11:03 NCR 109		11:09 NCR 571	*	Approve	03/20/97				
10 NCAC 03U .0604	11:24 NCR 1817									
10 NCAC 03U .0700	11:08 NCR 449									
10 NCAC 03U .0704	10:19 NCR 2506		11:04 NCR 188	*	Object Approve	10/17/96 11/21/96	*		11:19 NCR 1449	
10 NCAC 03U .0705	11:14 NCR 1108									
10 NCAC 03U .0705	11:24 NCR 1817									
10 NCAC 03U .0707	11:08 NCR 449		11:17 NCR 1338	*	Object	03/20/97				
10 NCAC 03U .0710	10:22 NCR 2829		11:04 NCR 188	*	Object Approve	10/17/96 11/21/96	*		11:19 NCR 1449	
10 NCAC 03U .0714	11:24 NCR 1817									
10 NCAC 03U .0802	11:24 NCR 1817									
10 NCAC 03U .0803	11:24 NCR 1817									
10 NCAC 03U .0901	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .1402	11:24 NCR 1817									
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10 NCAC 03U .1717	11:14 NCR 1108									
10 NCAC 03U .1717	11:24 NCR 1817									
10 NCAC 03U .2510	11:08 NCR 449									
10 NCAC 03U .2603	11:24 NCR 1817									
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10 NCAC 03U .2610	11:24 NCR 1817									
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10 NCAC 03U .2701		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*		11:19 NCR 1449	
10 NCAC 03U .2702		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*		11:19 NCR 1449	
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10 NCAC 03U .2704		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*		11:19 NCR 1449	
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10 NCAC 03	10:18 NCR 2399									
10 NCAC 03R .3000	11:23 NCR 1780									
10 NCAC 03R .3001		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*		11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3001	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3002	11:21 NCR 1655									
10 NCAC 03R .3010	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Approve	10/17/96			11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3020	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Approve	10/17/96	*		11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3020	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3030	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object Object Approve	10/17/96 11/21/96 03/20/97	*			11:11 NCR 888
10 NCAC 03R .3030	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3032		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*		11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3032	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3033	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3034	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3035	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3036	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3037	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3038	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3040	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object Approve	10/17/96 11/21/96	*		11:19 NCR 1449	11:11 NCR 888
10 NCAC 03R .3040	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3050	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object Approve	10/17/96 11/21/96	*			11:11 NCR 888
10 NCAC 03R .3050	10:23 NCR 2956		11:06 NCR 328	S/L/SE					11:19 NCR 1449	
10 NCAC 03R .3051	11:21 NCR 1655									
10 NCAC 03R .3052	11:21 NCR 1655								11:19 NCR 1449	
10 NCAC 03R .3053	11:21 NCR 1655									

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10 NCAC 03R .3053		11:22 NCR 1713								
10 NCAC 03R .3054		11:21 NCR 1655								
10 NCAC 03R .3055		11:21 NCR 1655								
10 NCAC 03R .3056		11:21 NCR 1655								
10 NCAC 03R .3057		11:21 NCR 1655								
10 NCAC 03R .3058		11:21 NCR 1655								
10 NCAC 03R .3059		11:21 NCR 1655								
10 NCAC 03R .3060		11:21 NCR 1655								
10 NCAC 03R .3061		11:21 NCR 1655								
10 NCAC 03R .3062		11:21 NCR 1655								
10 NCAC 03R .3063		11:21 NCR 1655								
10 NCAC 03R .3064		11:21 NCR 1655								
10 NCAC 03R .3065		11:21 NCR 1655								
10 NCAC 03R .3066		11:21 NCR 1655								
10 NCAC 03R .3067		11:21 NCR 1655								
10 NCAC 03R .3068		11:21 NCR 1655								
10 NCAC 03R .3069		11:21 NCR 1655								
10 NCAC 03R .3070		11:21 NCR 1655								
10 NCAC 03R .3071		11:21 NCR 1655								
10 NCAC 03R .3072		11:21 NCR 1655								
10 NCAC 03R .3073		11:21 NCR 1655								
10 NCAC 03R .3074		11:21 NCR 1655								
10 NCAC 03R .3075		11:21 NCR 1655								
10 NCAC 03R .3076		11:21 NCR 1655								
10 NCAC 03R .3077		11:21 NCR 1655								
10 NCAC 03R .3078		11:21 NCR 1655								
10 NCAC 03R .3079		11:21 NCR 1655								
10 NCAC 03R .3080		11:21 NCR 1655								
10 NCAC 03R .3081		11:21 NCR 1655								
10 NCAC 03R .3082		11:21 NCR 1655								

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10 NCAC 03R .3083		11:21 NCR 1655								
10 NCAC 03R .3084		11:21 NCR 1655								
10 NCAC 03R .3085		11:21 NCR 1655								
10 NCAC 03R .3086		11:21 NCR 1655								
10 NCAC 03R .3087		11:21 NCR 1655								
10 NCAC 03R .3088		11:21 NCR 1655								
10 NCAC 03R .6001	11:22 NCR 1704									
<b>Medical Assistance</b>										
Disproportionate Share List										
10 NCAC 26B .0105	10:18 NCR 2398		10:22 NCR 2831	*	Approve	04/18/96	*		11:04 NCR 207	11:03 NCR 101
10 NCAC 26B .0123		11:19 NCR 1436	11:24 NCR 1824	*						
10 NCAC 26G .0707	11:08 NCR 450	11:15 NCR 1205	11:18 NCR 1371	*						
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0104	11:16 NCR 1268		11:23 NCR 1781	S/L						
10 NCAC 26H .0212		11:15 NCR 1205								
10 NCAC 26H .0213		11:15 NCR 1205								
10 NCAC 26H .0213	11:18 NCR 1368									
10 NCAC 26H .0506		11:02 NCR 77	Temp. Expired							
10 NCAC 26H .0506	10:21 NCR 2686									
10 NCAC 26H .0506		11:19 NCR 1438								
10 NCAC 26H .0602	11:09 NCR 569	11:13 NCR 1062		S/L	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 50B .0202		11:10 NCR 841								
10 NCAC 50B .0404		11:10 NCR 841								
10 NCAC 50B .0409		11:10 NCR 841								
10 NCAC 50D										11:06 NCR 316
10 NCAC 50D .0101	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0102	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0103	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0201	10:24 NCR 3057	11:04 NCR 196								

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10 NCAC 50D .0301	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0302	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0401	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0402	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0501	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0502	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0503	10:24 NCR 3057	11:04 NCR 196								
<b>Medical Care Commission</b>										
10 NCAC 03B	11:16 NCR 1268									
10 NCAC 03B .1001		11:20 NCR 1560								
10 NCAC 03B .1002		11:20 NCR 1560								
10 NCAC 03C .3707	11:20 NCR 1534									
10 NCAC 03C .6208										
10 NCAC 03D .0800	11:23 NCR 1779									
10 NCAC 03D .0900	11:23 NCR 1779									
10 NCAC 03D .1000	11:23 NCR 1779									
10 NCAC 03D .1100	11:23 NCR 1779									
10 NCAC 03D .1200	11:23 NCR 1779									
10 NCAC 03D .1300	11:23 NCR 1779									
10 NCAC 03D .1400	11:23 NCR 1779									
10 NCAC 03D .1500	11:23 NCR 1779									
10 NCAC 03M	11:23 NCR 1779									
<b>Mental Health, Developmental Disabilities and Substance Abuse Services</b>										
10 NCAC 14V .3402	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*						
10 NCAC 14V .3803	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*						
10 NCAC 14V .5602	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*						
10 NCAC 15A .0128	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*						
10 NCAC 15A .0129	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*						

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10 NCAC 18W .0201	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0202	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0203	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0204	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0205	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0206	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0207	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0208	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0209	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0210	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0211	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0212	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0213	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0214	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0215	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0216	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0217	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0218	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0219	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97				
10 NCAC 45H .0200	11:08 NCR 449		11:14 NCR 1124	S	Object	01/16/97	*			
<b>Social Services Commission</b>										
10 NCAC 35E .0101		11:16 NCR 1288			Approve	02/20/97	*			
10 NCAC 35E .0105		11:16 NCR 1288			Object	01/16/97	*			
10 NCAC 35E .0106		11:16 NCR 1288			Approve	02/20/97	*			
10 NCAC 35E .0308		11:16 NCR 1288			Approve	01/16/97	*			
10 NCAC 41F	10:23 NCR 2956				Object	01/16/97				
10 NCAC 41F .0705	10:23 NCR 2956				Approve	02/20/97	*			
			11:03 NCR 111	L	Approve	07/18/96	*		11:15 NCR 1229	

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					Action	Date				
10 NCAC 41F .0706		10:21 NCR 2726	11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 41F .0707		10:21 NCR 2726	11:03 NCR 111	S	Object Approve	07/18/96 09/19/96	*		11:15 NCR 1229	
10 NCAC 41F .0812		10:21 NCR 2726	11:03 NCR 111	*	Approve	07/18/96			11:15 NCR 1229	
10 NCAC 41F .0813		10:21 NCR 2726	11:03 NCR 111	S	Object Approve	07/18/96 09/19/96	*		11:15 NCR 1229	
10 NCAC 41F .0814	10:23 NCR 2956		11:03 NCR 111	L	Object Approve	07/18/96 09/19/96	*		11:15 NCR 1229	
10 NCAC 41I .0100	10:17 NCR 2228									
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P .0102	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Object Approve	11/21/96 12/19/96	*		11:20 NCR 1569 11:20 NCR 1569	Notice Not Required
10 NCAC 41P .0105	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Object Approve	11/21/96 12/19/96	*		11:20 NCR 1569 11:20 NCR 1569	Notice Not Required
10 NCAC 41P .0106	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Object Approve	11/21/96 12/19/96	*		11:19 NCR 1449	
10 NCAC 41P .0108	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 41P .0108					Approve	10/17/96			11:16 NCR 1291	Notice Not Required
10 NCAC 41P .0109	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 41P .0110	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 41P .0111	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 41P .0112	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 42A .0701		10:21 NCR 2728	11:10 NCR 823	S/L/SE	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42A .0702	10:21 NCR 2728	10:21 NCR 2728	11:10 NCR 823	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 42A .0703	10:21 NCR 2728	10:21 NCR 2728	11:10 NCR 823	*	Object Approve	11/21/96 12/19/96			11:20 NCR 1569 11:19 NCR 1449	
10 NCAC 42B .1209	10:21 NCR 2729	10:21 NCR 2729	11:12 NCR 967	S/L	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 42B .1210	10:21 NCR 2729	10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 42B .1211	10:21 NCR 2729	10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42B .2402	10:21 NCR 2729	10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42B .2403	10:21 NCR 2729	10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42B .2404	10:21 NCR 2729	10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	

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10 NCAC 42B .2405		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42C .2010		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42C .2011		10:21 NCR 2729	11:12 NCR 967	S/L	Object	11/21/96				
10 NCAC 42C .2012		10:21 NCR 2729	11:12 NCR 967	*	Approve	12/19/96	*		11:20 NCR 1569	
10 NCAC 42C .3701		10:21 NCR 2729	11:12 NCR 967	*	Object	11/21/96				
10 NCAC 42C .3702		10:21 NCR 2729	11:12 NCR 967	*	Approve	12/19/96	*		11:20 NCR 1569	
10 NCAC 42C .3703		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42C .3704		10:21 NCR 2729	11:12 NCR 967	*	Approve	12/19/96	*		11:19 NCR 1449	
10 NCAC 42D .1409		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42D .1410		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 42D .1411		10:21 NCR 2729	11:12 NCR 967	S/L	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42D .1827		10:21 NCR 2729	11:12 NCR 967	*	Object	11/21/96	*		11:20 NCR 1569	
10 NCAC 42D .1828		10:21 NCR 2729	11:12 NCR 967	*	Approve	12/19/96	*		11:20 NCR 1569	
10 NCAC 42D .1829		10:21 NCR 2729	11:12 NCR 967	*	Object	11/21/96			11:19 NCR 1449	
10 NCAC 42D .1830		10:21 NCR 2729	11:12 NCR 967	*	Approve	12/19/96	*		11:19 NCR 1449	
10 NCAC 42J .0001		11:16 NCR 1288	11:12 NCR 967	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42J .0004		11:16 NCR 1288		*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42J .0005		11:16 NCR 1288		*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 42V .0201		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*		11:10 NCR 843	
10 NCAC 42V .0802		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*		11:10 NCR 843	
10 NCAC 42V .0803		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*		11:10 NCR 843	
10 NCAC 49A .0102		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96			11:19 NCR 1449	
10 NCAC 49B .0202		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 49B .0310		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 49B .0502		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:19 NCR 1449	
10 NCAC 49C .0107		10:18 NCR 2402	Temp. Expired	*	Approve	11/21/96			11:19 NCR 1449	
<b>Vocational Rehabilitation Services</b>										
10 NCAC 20B .0204	11:08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96	*		11:20 NCR 1569	

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10 NCAC 20B .0205	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96	*		11:20 NCR 1569	
10 NCAC 20B .0206	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0208	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0209	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0210	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0214	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0218	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96	*		11:20 NCR 1569	
10 NCAC 20B .0222	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96	*		11:20 NCR 1569	
10 NCAC 20B .0224	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0226	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20B .0227	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20C .0603	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96			11:20 NCR 1569	
10 NCAC 20D .0204	11-08 NCR 450		11:13 NCR 1051	*	Approve	12/19/96	*		11:20 NCR 1569	
<b>INSURANCE</b>										
11 NCAC 08 .1001		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1002		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1003		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1004		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1005		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1006		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1007		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1008		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1009		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1010		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1011		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
11 NCAC 08 .1101		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrew	03/97				Temp Filed over obj

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11 NCAC 08 .1102		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1103		11:15 NCR 1212	11:19 NCR 1416	*						Temp Filed over obj
11 NCAC 08 .1104		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1105		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1106		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1107		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1108		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1109		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1110		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1111		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1112		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1113		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1114		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1115		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1116		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1201		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1202		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1203		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1204		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1205		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1206		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1207		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj

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					Action	Date				
11 NCAC 08 .1208		11:15 NCR 1212	11:25 NCR 1906 11:19 NCR 1416	*	Agency Withdrawn	03/97				Temp Filed over obj
11 NCAC 08 .1209		11:15 NCR 1212	11:25 NCR 1906 11:19 NCR 1416	*	Agency withdrew	03/97				Temp Filed over obj
11 NCAC 10 .0602		11:15 NCR 1223	11:25 NCR 1906 11:19 NCR 1426	*	Approve	03/20/97	*			
11 NCAC 10 .0603		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*			
11 NCAC 10 .0606		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*			
11 NCAC 12 .0551	10:18 NCR 2399		10:22 NCR 2831	*	Approve	05/16/96	*		11:05 NCR 283	
11 NCAC 16 .0703	10:18 NCR 2399		10:22 NCR 2832	*	Approve	05/16/96	*		11:05 NCR 284	
<b>JUSTICE</b>										
<b>Attorney General/Company Police</b>										
12 NCAC 021 .0101					Approve	04/18/96			11:04 NCR 208	
12 NCAC 021 .0206					Approve	04/18/96			11:04 NCR 208	
12 NCAC 021 .0210					Approve	04/18/96			11:04 NCR 208	
<b>Alarm Systems Licensing Board</b>										
12 NCAC 11 .0202	10:24 NCR 3057		11:14 NCR 1136	*						
<b>Criminal Justice Education and Training Standards Commission</b>										
12 NCAC 09A .0103	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09B .0102	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09B .0111	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09B .0206	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09B .0224	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09B .0225	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09B .0409	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0304	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0307	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0309	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0601	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0602	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0603	11:14 NCR 1109		11:20 NCR 1539	*						

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12 NCAC 09C .0604	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0605	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0606	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0607	11:14 NCR 1109		11:20 NCR 1539	*						
12 NCAC 09C .0608	11:14 NCR 1109		11:20 NCR 1539	*						

## Private Protective Services Board

12 NCAC 07D	11:10 NCR 818									
12 NCAC 07D	11:16 NCR 1268									
12 NCAC 07D .0100	11:16 NCR 1268									
12 NCAC 07D .0104	11:16 NCR 1268									
12 NCAC 07D .0201	11:10 NCR 818									
12 NCAC 07D .0204	11:14 NCR 1108									
12 NCAC 07D .0504	11:10 NCR 818									
12 NCAC 07D .0701	11:10 NCR 818									
12 NCAC 07D .0801	11:10 NCR 818									
12 NCAC 07D .0902	11:10 NCR 818									
12 NCAC 07D .1106	11:14 NCR 1108									

## State Bureau of Investigation/Division of Criminal Information

12 NCAC 04E .0103	11:11 NCR 881		11:17 NCR 1339	*						
12 NCAC 04E .0104	11:17 NCR 1336		11:22 NCR 1710	*						
12 NCAC 04E .0401	11:17 NCR 1336		11:22 NCR 1710	*						
12 NCAC 04E .0404	11:17 NCR 1336		11:22 NCR 1710	*						
12 NCAC 04E .0405	11:17 NCR 1336		11:22 NCR 1710	*						

## LABOR

Permanent Variance Filing

Boiler & Pressure Vessel

13 NCAC 13 .0213

11:25 NCR 1918

## Occupational Safety and Health

\*Verbatim Adoption Federal Standards

\*13 NCAC 07A .0301

11:22 NCR 1703

11:25 NCR 1903

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*13 NCAC 07F .0101										11:24 NCR 1813
*13 NCAC 07F .0101										11:25 NCR 1903
*13 NCAC 07F .0101										11:25 NCR 1903
*13 NCAC 07F .0201										11:25 NCR 1903
*13 NCAC 07F .0501										11:25 NCR 1903
13 NCAC 07A .0900	11:11 NCR 881									11:25 NCR 1903
13 NCAC 07F	11:03 NCR 106									11:25 NCR 1903
13 NCAC 07F .0101		11:03 NCR 119	Temp. Expired							
13 NCAC 07F .0101	11:24 NCR 1817									
13 NCAC 07F .0201	11:03 NCR 106									
13 NCAC 07F .0201	11:09 NCR 568									
13 NCAC 07F .0201	11:24 NCR 1817									
13 NCAC 07F .0301	11:03 NCR 106									
<b>MEDICAL BOARD</b>										
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32F .0003		11:18 NCR 1386								
21 NCAC 32H	10:18 NCR 2400									
21 NCAC 32H .0101	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0102	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0201	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0203	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*			
21 NCAC 32H .0301	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0302	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0303	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0401	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0402	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0403	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0404	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0406	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0407	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	

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					Action	Date				
21 NCAC 32H .0408	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96			11:04 NCR 221	
21 NCAC 32H .0409	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0501	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0502	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0504	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0505	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0506	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0507	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0601	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0602	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96			11:04 NCR 221	
21 NCAC 32H .0701	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0702	10:18 NCR 2400		10:22 NCR 2835	*	Object	04/18/96			Returned to Agency 6/20/96	
21 NCAC 32H .0801	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0901	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0902	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 320	11:18 NCR 1369			*	Approve	04/18/96			11:04 NCR 221	
<b>NURSING, BOARD OF</b>										
21 NCAC 36 .0109	11:24 NCR 1821									
21 NCAC 36 .0320	11:14 NCR 1109									
<b>NURSING HOME ADMINISTRATORS</b>										
21 NCAC 37D .0202		11:11 NCR 940	11:18 NCR 1372	*						
21 NCAC 37G .0102		11:11 NCR 940	11:18 NCR 1372	*						
<b>OPTOMETRY, BOARD OF</b>										
21 NCAC 42B .0107	11:18 NCR 1369		11:25 NCR 1917	*						
<b>PSYCHOLOGY BOARD</b>										
21 NCAC 54 .1802			11:18 NCR 1373	*						
21 NCAC 54 .1803			11:18 NCR 1373	*						
21 NCAC 54 .2001			11:18 NCR 1373	*						
21 NCAC 54 .2002			11:18 NCR 1373	*						

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21 NCAC 54 .2003			11:18 NCR 1373	*						
21 NCAC 54 .2004			11:18 NCR 1373	*						
21 NCAC 54 .2005			11:18 NCR 1373	*						
21 NCAC 54 .2007			11:18 NCR 1373	*						
21 NCAC 54 .2008			11:18 NCR 1373	*						
21 NCAC 54 .2009			11:18 NCR 1373	*						
21 NCAC 54 .2704			11:18 NCR 1373	*	Approve	04/18/96			11:04 NCR 236	
21 NCAC 54 .2706					Approve	04/18/96			11:04 NCR 236	
<b>PUBLIC EDUCATION</b>										
16 NCAC 01A .0001					Approve	05/16/96			11:05 NCR 286	
16 NCAC 01A .0003					Approve	05/16/96			11:05 NCR 283	
<b>Standards Board for Public School Administration</b>										
16 NCAC 07 .0101	10:23 NCR 2957		11:09 NCR 576	*	Object	11/21/96	*		11:20 NCR 1569	
16 NCAC 07 .0102	10:23 NCR 2957		11:09 NCR 576	*	Approve	12/19/96				
16 NCAC 07 .0103	10:23 NCR 2957		11:09 NCR 576	*	Approve	11/21/96	*		11:20 NCR 1569	
16 NCAC 07 .0104	10:23 NCR 2957		11:09 NCR 576	*	Approve	12/19/96				
16 NCAC 07 .0105	10:23 NCR 2957		11:09 NCR 576	*	Object	11/21/96	*		11:20 NCR 1569	
16 NCAC 07 .0106	10:23 NCR 2957		11:09 NCR 576	*	Approve	12/19/96	*		11:20 NCR 1569	
16 NCAC 07 .0107	10:23 NCR 2957		11:09 NCR 576	*	Withdrawn	11/21/96				
16 NCAC 07 .0108	10:23 NCR 2957		11:09 NCR 576	*	Withdrawn	11/21/96				
16 NCAC 07 .0109	10:23 NCR 2957		11:09 NCR 576	*	Withdrawn	11/21/96				
16 NCAC 07 .0110	10:23 NCR 2957		11:09 NCR 576	*	Withdrawn	11/21/96				
16 NCAC 07 .0111	10:23 NCR 2957		11:09 NCR 576	*	Withdrawn	11/21/96				
16 NCAC 07 .0112	10:23 NCR 2957		11:09 NCR 576	*	Withdrawn	11/21/96				
<b>REAL ESTATE COMMISSION</b>										
21 NCAC 58A .0101	10:22 NCR 2829		11:03 NCR 114	*	Approve	12/19/96			11:20 NCR 1569	
21 NCAC 58A .0104	11:07 NCR 408		11:11 NCR 935	*	Approve	12/19/96	*		11:20 NCR 1569	
21 NCAC 58A .0105	10:22 NCR 2829		11:03 NCR 114	*	Approve	12/19/96			11:20 NCR 1569	

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21 NCAC 58A .0109	10:22 NCR 2829		11:03 NCR 114	*	Approve	12/19/96			11:20 NCR 1569	
21 NCAC 58A .0110	10:22 NCR 2829		11:03 NCR 114	*	Approve	12/19/96			11:20 NCR 1569	
21 NCAC 58A .0302	10:22 NCR 2829		11:03 NCR 114	*	Object	12/19/96	*		11:22 NCR 1717	
21 NCAC 58A .0503	10:22 NCR 2829		11:03 NCR 114	*	Approve	01/16/97			11:20 NCR 1569	
21 NCAC 58A .0504	10:22 NCR 2829		11:03 NCR 114	*	Approve	12/19/96			11:20 NCR 1569	
21 NCAC 58A .1501	10:22 NCR 2829		11:03 NCR 114	*	Approve	12/19/96			11:20 NCR 1569	
21 NCAC 58A .1502	10:22 NCR 2829		11:03 NCR 114	*	Object	12/19/96	*		11:22 NCR 1717	
21 NCAC 58A .1601	10:22 NCR 2835		11:03 NCR 114	*	Approve	01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .1601	10:22 NCR 2835		11:03 NCR 114	*	Approve	01/16/97	*		11:20 NCR 1569	
<b>REFRIGERATION EXAMINERS</b>										
21 NCAC 60 .0204	11:05 NCR 272		11:10 NCR 839	*	Approve	11/21/96			11:19 NCR 1449	
21 NCAC 60 .0207	11:05 NCR 272		11:10 NCR 839	*	Approve	11/21/96	*		11:19 NCR 1449	
21 NCAC 60 .0314	11:05 NCR 272		11:10 NCR 839	*	Object	11/21/96	*		11:20 NCR 1569	
<b>REVENUE</b>										
17 NCAC 01C .0504		10:20 NCR 2599		*	Object	08/15/96			11:14 NCR 1156	
17 NCAC 01C .0506		10:20 NCR 2599		*	Approve	09/19/96			11:22 NCR 1717	
17 NCAC 01C .0506			11:10 NCR 838	*	Approve	08/15/96	*			
17 NCAC 05C .0102			11:03 NCR 113	*	Approve	01/16/97				
			11:09 NCR 582	*	Approve	11/21/96				
17 NCAC 05C .2101			10:24 NCR 3059	*	Object	01/16/97			11:05 NCR 284	
17 NCAC 06B .0612			10:22 NCR 2833	*	Rule Returned	05/16/96	*		11:04 NCR 211	
17 NCAC 06B .3716			10:22 NCR 2833	*	Approve	04/18/96	*		11:04 NCR 211	
17 NCAC 07B .0118			11:12 NCR 998	*	Approve	04/18/96	*		11:19 NCR 1449	
17 NCAC 07B .1101			10:21 NCR 2688	*	Approve	11/21/96	*		11:04 NCR 212	
17 NCAC 07B .1105			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1108			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1109			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1110			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1112			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	

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17 NCAC 07B .1114			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1123			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1602			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1602			11:12 NCR 998	*	Approve	11/21/96	*		11:19 NCR 1449	
17 NCAC 07B .1701			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1702			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1702			11:12 NCR 998	*	Approve	11/21/96	*		11:19 NCR 1449	
17 NCAC 07B .1802			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1802			11:12 NCR 998	*	Approve	11/21/96	*		11:19 NCR 1449	
17 NCAC 07B .2401			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .2601			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .3103			11:12 NCR 998	*	Approve	11/21/96			11:19 NCR 1449	
17 NCAC 07B .3106			11:12 NCR 998	*	Approve	11/21/96	*		11:19 NCR 1449	
17 NCAC 07B .4002			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .4004			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .4008			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .4202			11:12 NCR 998	*	Approve	11/21/96			11:19 NCR 1449	
17 NCAC 07B .4301			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .4408			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .4501			11:12 NCR 998	*	Approve	11/21/96			11:19 NCR 1449	
17 NCAC 07B .4902			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
Tax Review Board										11:02 NCR 72
Tax Review Board										11:06 NCR 318
Tax Review Board										11:14 NCR 1104
Tax Review Board										11:16 NCR 1266
Tax Review Board										11:17 NCR 1332
Tax Review Board										11:21 NCR 1632
<b>SOCIAL WORK, BOARD OF</b>										
21 NCAC 63 .0306		10:21 NCR 2739	11:03 NCR 118	*	Approve	11/21/96	*		11:19 NCR 1449	
<b>SOIL SCIENTISTS, BOARD FOR LICENSING</b>										

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					Action	Date				
21 NCAC 69 .0101	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*						
21 NCAC 69 .0102	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0103	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0104	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96				
21 NCAC 69 .0201	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0202	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0301	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
21 NCAC 69 .0302	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0303	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0304	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0305	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0306	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
21 NCAC 69 .0307	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0308	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Object	10/17/96	*		11:16 NCR 1291	
21 NCAC 69 .0401	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96	*		11:14 NCR 1156	
21 NCAC 69 .0402	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0501	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
			11:08 NCR 523	*	Approve	09/19/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
			11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
			11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
			11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
			11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	

## SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS

21 NCAC 64 .0303 11:23 NCR 1780

## STATE PERSONNEL COMMISSION

25 NCAC 01D .2501 11:13 NCR 1062 11:19 NCR 1429 \*

25 NCAC 01D .2503 11:13 NCR 1062 11:19 NCR 1429 \*

25 NCAC 01D .2504 11:13 NCR 1062 11:19 NCR 1429 \*

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(April 1996 - March 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
25 NCAC 01D .2505		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2507		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2508		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2509		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2511		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2513		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2514		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2516		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01E .0705	11:14 NCR 1110		11:19 NCR 1434	*						
25 NCAC 01E .0707	11:14 NCR 1110		11:19 NCR 1434	*						
25 NCAC 01E .0709	11:14 NCR 1110		11:19 NCR 1434	*						
25 NCAC 01J .0613		10:23 NCR 2960	Temp. Expired		Approve	03/21/96			11:01 NCR 26	
25 NCAC 01J .0613										
<b>SUBSTANCE ABUSE PROFESSIONALS CERTIFICATION BOARD</b>										
21 NCAC 68	10:18 NCR 2401									
21 NCAC 68 .0101	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0102	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96			11:04 NCR 238	
21 NCAC 68 .0201	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96			11:04 NCR 238	
21 NCAC 68 .0202	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0203	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0204	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0205	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0206	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0207	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0208	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0209	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0210	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0211	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0212	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0213	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	

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					Action	Date				
21 NCAC 68 .0401	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0402	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0403	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0404	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0405	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0406	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0407	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0701	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0702	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0703	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0704	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0705	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0706	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0707	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0708	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0709	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
<b>TRANSPORTATION</b>										
19A NCAC 06B .0401	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0402	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0403	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0404	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0405	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0406	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0407	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0408	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0409	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0410	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0411	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0412	10:23 NCR 2957		11:05 NCR 279	S	Object	08/15/96				
					Approve	09/19/96	*		11:14 NCR 1156	

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					Action	Date				
19A NCAC 06B .0413	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0414	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0415	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0416	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0417	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
<b>Highways, Division of</b>										
19A NCAC 02B .0164	11:20 NCR 1537				Approve	08/15/96			11:12 NCR 1006	
19A NCAC 02D .0415	11:20 NCR 1537				Approve	08/15/96				
19A NCAC 02D .0425					Object	08/15/96				
19A NCAC 02D .1101	10:23 NCR 2957		11:05 NCR 274	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 02D .1102	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1103	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1104	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1105	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1106	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1107	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				
19A NCAC 02D .1108	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96				
					Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 02D .1109	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1110	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1111	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96	*			
					Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 02D .1112	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				
<b>Motor Vehicles, Division of</b>										
19A NCAC 03E .0403					Object	12/19/96				
					Approve	01/16/97				
19A NCAC 03E .0501	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:22 NCR 1717	Notice Not Required
19A NCAC 03E .0502	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0510	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0511	11:01 NCR 13		11:07 NCR 416	*	Approve	10/17/96	*		11:16 NCR 1291	

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(April 1996 - March 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 03E .0512	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0513	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0514	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0515	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0518	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0519	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0522	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03I .0100	11:19 NCR 1413									
19A NCAC 03I .0200	11:19 NCR 1413									
19A NCAC 03I .0300	11:19 NCR 1413									
19A NCAC 03I .0400	11:19 NCR 1413									
19A NCAC 03I .0500	11:19 NCR 1413									
19A NCAC 03I .0600	11:19 NCR 1413									
19A NCAC 03I .0700	11:19 NCR 1413									
19A NCAC 03I .0800	11:19 NCR 1413									
19A NCAC 03J .0102	11:11 NCR 882		11:17 NCR 1340	*	Approve	02/20/97	*		11:24 NCR 1832	
19A NCAC 03J .0306	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97	*			
					Approve	03/20/97				Notice Not Required
19A NCAC 03J .0306					Approve	03/20/97				Return to Agency
19A NCAC 03J .0307	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97				Notice Not Required
					Approve	03/20/97				Notice Not Required
19A NCAC 03J .0308					Approve	03/20/97				
19A NCAC 03J .0308	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97	*			
					Approve	03/20/97	*			
19A NCAC 03J .0601	11:11 NCR 882		11:17 NCR 1340	*	Approve	02/20/97	*		11:24 NCR 1832	



# BARCLAYS OFFICIAL NORTH CAROLINA ADMINISTRATIVE CODE - 1997

DESCRIPTION	CODE	ANNUAL SUBSCRIPTION PRICE
<b>Title 1 - Dept. of Administration - Complete Title</b>	<b>201 00 001</b>	<b>\$90.00</b>
Division of Purchase & Contract	201 10 051	\$30.00
Federal Block Grant Funds	201 10 331	\$25.00
<b>Title 2 - Dept. of Agriculture - Complete Title</b>	<b>202 00 001</b>	<b>\$140.00</b>
Food & Drug Protection Division	202 15 091	\$35.00
Structural Pest Control Committee	202 15 341	\$30.00
Agricultural Markets	202 15 431	\$30.00
Plant Industry	202 15 481	\$30.00
Animal Industry	202 15 521	\$30.00
<b>Title 3 - Dept. of State Auditor - Complete Title</b>	<b>203 00 001</b>	<b>\$25.00</b>
<b>Title 4 - Dept. of Commerce - Complete Title</b>	<b>204 00 001</b>	<b>\$125.00</b>
Alcoholic Beverage Control Commission	204 15 021	\$45.00
Banking Commission	204 15 031	\$45.00
Credit Union Division	204 15 061	\$25.00
Savings & Loan Division	204 15 091	\$25.00
Industrial Commission/Workers Compensation	204 15 101	\$30.00
Savings Institutions Division	204 15 161	\$35.00
<b>Title 5 - Dept. of Corrections - Complete Title</b>	<b>205 00 001</b>	<b>\$70.00</b>
Division of Prisons	205 15 021	\$35.00
<b>Title 6 - Council of State - Complete Title</b>	<b>206 00 001</b>	<b>\$30.00</b>
<b>Title 7 - Dept. of Cultural Resources - Complete Title</b>	<b>207 00 001</b>	<b>\$60.00</b>
<b>Title 8 - State Board of Elections - Complete Title</b>	<b>208 00 001</b>	<b>\$30.00</b>
<b>Title 9 - Offices of the Governor &amp; Lt. Governor - Complete Title</b>	<b>209 00 001</b>	<b>\$45.00</b>
<b>Title 10 - Dept. of Human Resources - Complete Title</b>	<b>210 00 001</b>	<b>\$470.00</b>
Licensing of Health Facilities	210 20 101	\$95.00
Detention Facilities	210 20 201	\$40.00
Mental Health & Rehabilitation Services	210 20 301	\$110.00
Social Services	210 20 401	\$185.00
Children Services/Day Care	210 20 411	\$55.00
Services for the Aging	210 20 421	\$45.00
Services for the Blind	210 20 431	\$40.00
Services for the Deaf & Hard of Hearing	210 20 441	\$25.00
Employment Opportunities	210 20 451	\$45.00
<b>Title 11 - Dept. of Insurance - Complete Title</b>	<b>211 00 001</b>	<b>\$90.00</b>
Insurance	211 10 011	\$80.00
Consumer Services	211 10 041	\$30.00
Fire & Rescue Services	211 10 051	\$25.00
Agent Services	211 10 061	\$35.00
Engineering & Building Codes	211 10 081	\$30.00
<b>Title 12 - Dept. of Justice - Complete Title</b>	<b>212 00 001</b>	<b>\$90.00</b>
Private Protective Services	212 10 071	\$30.00
Police & Sheriff's Education & Training Standards	212 10 091	\$40.00
NC Alarm Systems Licensing Board	212 10 111	\$30.00
<b>Title 13 - Dept. of Labor - Complete Title</b>	<b>213 00 001</b>	<b>\$110.00</b>
Mine & Quarry Safety	213 15 061	\$25.00
General Safety/OSHA	213 20 001	\$70.00
Wage & Hour Rules	213 15 121	\$25.00
Boiler & Pressure Vessel Safety	213 15 131	\$25.00
Apprenticeship & Training	213 15 141	\$25.00
Elevator & Amusement Device Safety	213 15 151	\$25.00
<b>Title 14A - Dept. of Crime Control &amp; Public Safety - Complete Title</b>	<b>214 00 001</b>	<b>\$45.00</b>
Alcohol Law Enforcement	214 00 081	\$25.00
Victims Compensation Fund	214 00 111	\$25.00
<b>Title 15A - Dept. of Environ., Health, &amp; Nat. Resources - Complete Title</b>	<b>215 00 001</b>	<b>\$395.00</b>
Environmental Management	215 15 001	\$165.00
Air Quality	215 15 101	\$90.00
Water Quality	215 15 201	\$85.00
Land & Waste Management	215 15 301	\$85.00
Solid Waste Management	215 15 311	\$50.00

DESCRIPTION	CODE	ANNUAL SUBSCRIPTION PRICE
Underground Storage Tanks	215 15 321	\$30.00
Coastal Management, Fishing & Boating	215 15 401	\$53.00
Environmental Health	215 25 001	\$150.00
Radiation/Nuclear Waste	215 25 101	\$65.00
Sanitation	215 25 201	\$60.00
Public Health	215 25 301	\$85.00
Intoxilizer & Breathalyzer	215 25 311	\$25.00
<b>Title 16 - Dept. of Public Instruction - Complete Title</b>	<b>216 00 001</b>	<b>\$60.00</b>
Elementary & Secondary Education	216 10 061	\$30.00
<b>Title 17 - Department of Revenue - Complete Title</b>	<b>217 00 001</b>	<b>\$130.00</b>
Taxes on Individuals	217 15 101	\$40.00
Taxes on Business	217 15 201	\$70.00
Sales & Use Tax Division	217 15 271	\$45.00
Motor Fuels Tax Division	217 15 291	\$30.00
<b>Title 18 - Secretary of State - Complete Title</b>	<b>218 00 001</b>	<b>\$60.00</b>
Securities Division	218 10 060	\$35.00
<b>Title 19A - Dept. of Transportation - Complete Title</b>	<b>219 00 001</b>	<b>\$90.00</b>
Division of Highways	219 10 021	\$45.00
Division of Motor Vehicles	219 10 031	\$45.00
<b>Title 20 - Dept. of the State Treasurer - Complete Title</b>	<b>220 00 001</b>	<b>\$45.00</b>
<b>Title 21 - Occupational Licensing Boards - Complete Title</b>	<b>221 00 001</b>	<b>\$230.00</b>
<b>Title 22 - Administrative Procedures - Repealed</b>	<b>n/a</b>	
<b>Title 23 - Community Colleges - Complete Title</b>	<b>223 00 001</b>	<b>\$45.00</b>
<b>Title 24 - Independent Agencies - Complete Title</b>	<b>224 00 001</b>	<b>\$40.00</b>
<b>Title 25 - Office of State Personnel - Complete Title</b>	<b>225 00 001</b>	<b>\$80.00</b>
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