

21 NCAC 63 .0215 is adopted with changes as published in 34:08 NCR 712-713 as follows:

21 NCAC 63 .0215 PETITION FOR PREDETERMINATION

(a) General. ~~Pursuant to G.S. 93B-8.1(b6), any person with a criminal history may petition the Board at any time for a predetermination of whether the individual's criminal history likely will disqualify the individual from obtaining a license, in accordance with this Rule. The Petition forms and instructions form may be found on the Board's website at <https://www.ncswboard.org>. An individual seeking predetermination pursuant to G.S. 93B-8.1(b6) and this Rule may file with the Board a petition form located on the Board's website, www.ncswboard.org.~~

(b) Petition Procedure. ~~To petition the Board under this Rule, a person must submit to the Board's office a petition for predetermination that contains~~ The petition form shall include all of the following information:

- (1) The person's ~~full~~ name;
- (2) The last four digits of the person's social security number;
- (3) The person's current residential address;
- (4) The person's current mailing address;
- (5) A ~~complete and accurate~~ nationwide criminal history record report from a reporting service designated by the Board, the cost of which shall be borne by the petitioner;
- (6) For each crime identified in the criminal history record report, the following information:
 - (i) Whether the crime was a felony or misdemeanor;
 - (ii) The date that the crime occurred;
 - (iii) The date the person was convicted of, or plead guilty or nolo contendere to, the crime;
 - (iv) The age of the person at the time of the crime;
 - (v) The circumstances surrounding the commission of the crime;
 - (vi) The sentence imposed for the crime;
 - (vii) The period of time during which the person was incarcerated for the ~~crime~~; crime, if any;
 - (viii) The period of time during which the person was on probation or parole for the ~~crime~~; crime, if any;
 - (ix) Any documentation related to the person's rehabilitation or employment since the date of the ~~crime~~; crime, if any;
 - (x) Whether the person has undergone any rehabilitative drug or alcohol treatment since the date of the crime;
 - (xi) Whether a Certificate of Relief has been granted regarding the crime, pursuant to G.S. 15A 173.2; and
 - (xii) Any affidavits or other written documents, including character references, for the ~~person~~. person; and
- (7) An affirmation under oath that the person has read ~~the Instructions for Submitting a Petition for Predetermination and~~ the statutes and rules governing the practice of social work and that the information contained in the petition is true and accurate.

1 Incomplete petitions ~~will~~ shall not be considered by the Board. If incomplete petitions received by the Board are not
2 made complete within 30 days of receipt, the incomplete petitions will be returned to the person from whom the
3 request was made.

4 (c) Petition Fee. A non-refundable petition fee of forty-five dollars (\$45.00) shall accompany each petition. This fee
5 may be paid by certified bank check or money order made payable to the North Carolina Social Work Certification
6 and Licensure Board. Cash shall not be accepted.

7 (d) Delegation of Authority for Predetermination. The Board delegates authority for rendering predeterminations
8 under this Rule to a committee of the Board that is tasked with reviewing disciplinary matters. ~~matters, the members~~
9 ~~of which shall be determined by the Board Chair or their designee.~~

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11 *History Note: Authority G.S. 90B-11; 93B-8.1;*
12 *Adopted Eff. February 1, 2020.*