



## PUBLIC SCHOOLS OF NORTH CAROLINA

STATE BOARD OF EDUCATION | Eric C. Davis, Chairman

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October 7, 2022

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Lawrence Duke  
Counsel to the North Carolina Rules Review Commission  
Office of Administrative Hearings

Re: Schedule for Readoption of Necessary Rules; G.S. §150B-21.3A(d)(2)

Dear Mr. Duke:

Pursuant to G.S. §150B-21.3A(d)(2) the Rules Review Commission (RRC) is obligated, after consultation with the agency, to establish a schedule for review and readoption of rules that were determined to be “necessary” under G.S. §150B-21.3A(c)(2)g. The State Board of Education has 110 necessary rules that must go through the readoption process. The State Board of Education requests that the RRC set June 30, 2026, as the deadline for readoption of those necessary rules.

Many of the necessary are over twenty years old and some have been in the NCAC for more than thirty years. The readoption efforts will be a new experience of State Board of Education and Department of Public Instruction staff and will require collaboration across multiple divisions within the department and multiple committees of the State Board of Education. In light of the number and age of these rules and the technical and legal changes that have occurred since they were

Lawrence Duke  
October 7, 2022  
Page 2

last adopted, it is reasonable to expect that there will be significant changes to some of these rules.

In light of those challenges, the State Board of Education believes, June 30, 2026, is a reasonable deadline for readopt the 110 necessary rules. To minimize the disruption of school administration, it is important to set the deadline for the end of a fiscal year so that any required substantive changes will be effective between the end of the school year in June and the beginning of a new school year in August. Whatever the final deadline might be, the State Board of Education assures RRC that State Board of Education and Department of Public Instruction staff will work diligently to complete the readoption process with reasonable dispatch.

Sincerely yours,

*Thomas J. Ziko*

/s/Thomas J. Ziko  
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