

## Burgos, Alexander N

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**From:** Liebman, Brian R  
**Sent:** Friday, June 3, 2022 10:55 AM  
**To:** Walker, Brandon; Ziko, Thomas  
**Cc:** Burgos, Alexander N  
**Subject:** State Board of Education Request for Changes - June 2022 RRC  
**Attachments:** 06.2022 - SBOE 16 NCAC 06D .0403 Request for Changes.docx

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the State Board of Education for the June 2022 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, June 16, 2022, at 9:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get closer to the meeting. If there are any other representatives from your agency who will want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Please submit the revised Rules and forms to me via email, no later than 5 p.m. on Friday, June 10, 2022.

In the meantime, please do not hesitate to reach out via email with any questions or concerns.

Thanks,

Brian

Brian Liebman  
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Office of Administrative Hearings  
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## Burgos, Alexander N

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**Subject:** FW: [External] 16 NCAC 06D .0403 Provide Information on Child Abuse and Neglect & Responses

### Alexander Burgos

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**From:** Liebman, Brian R <brian.liebman@oah.nc.gov>

**Sent:** Friday, June 10, 2022 4:47 PM

**To:** Ziko, Thomas <Thomas.Ziko@dpi.nc.gov>

**Cc:** Walker, Brandon <Brandon.Walker@dpi.nc.gov>; Martin, Lou <lou.martin@dpi.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

**Subject:** RE: [External] 16 NCAC 06D .0403 Provide Information on Child Abuse and Neglect & Responses

Well, that is an impressive amount of research on this issue! I guess it'll be fine the way it is, then.

Unless you have an objection, I will send the revised version of your rule to Dana for filing.

Have a great weekend,  
Brian

Brian Liebman  
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**From:** Thomas Ziko <[Thomas.Ziko@dpi.nc.gov](mailto:Thomas.Ziko@dpi.nc.gov)>

**Sent:** Friday, June 10, 2022 2:45 PM

**To:** Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>

**Cc:** Walker, Brandon <[Brandon.Walker@dpi.nc.gov](mailto:Brandon.Walker@dpi.nc.gov)>; Martin, Lou <[lou.martin@dpi.nc.gov](mailto:lou.martin@dpi.nc.gov)>; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>

**Subject:** RE: [External] 16 NCAC 06D .0403 Provide Information on Child Abuse and Neglect & Responses

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Brian,

I'm responding to your question about inserting the definite article in the name of the School of the Arts. To be precise, the name of the school is "University of North Carolina School of the Arts."

§ 116-64. Establishment of school.

There is hereby established, and there shall be maintained, a school for the professional training of students having exceptional talent in the performing arts which shall be defined as an educational institution of the State, to serve the students of North Carolina and other states, particularly other states of the South. The school shall be designated the "North Carolina School of the Arts, redesignated effective August 1, 2008, as the 'University of North Carolina School of the Arts.' "

The omission of the definite article appears to have been deliberate because you can contrast and compare that nomenclature with the statute listing the other constituent institutions:

§ 116-4. Constituent institutions of the University of North Carolina.

The University of North Carolina shall be composed of the following institutions of higher education: the University of North Carolina at Chapel Hill, North Carolina State University at Raleigh, the University of North Carolina at Greensboro, the University of North Carolina at Charlotte, the University of North Carolina at Asheville, the University of North Carolina at Wilmington, Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina Agricultural and Technical State University, North Carolina Central University, North Carolina School of the Arts, redesignated effective August 1, 2008, as the "University of North Carolina School of the Arts," Pembroke State University, redesignated effective July 1, 1996, as the "University of North Carolina at Pembroke", Western Carolina University and Winston-Salem State University, and the constituent high school, the North Carolina School of Science and Mathematics.

Note that some are preceded with a definite article and some are not. One can only imagine the hours of legislative debate that must have been devoted to those issues. But, it appears that "University of North Carolina School of the Arts" is the correct name.

With that, I think we are done with tweaks to 16 NCAC 06D .0403 and it is ready for filing. Thanks for your attention.

Thomas J. Ziko  
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