

SECTION .0500 - ENFORCEMENT OF RULES

12 NCAC 09G .0501 INVESTIGATION OF VIOLATION OF RULES

(a) If any corrections agency, school, authorized representative acting on behalf of either, or individual is reported to be or suspected of being in violation of any of the rules in this Subchapter, the Commission may take action to correct the violation and to ensure that similar violations do not occur.

(b) Before taking action against an agency, school, or individual for a violation, the Standards Division shall investigate the alleged violation and present a report of its findings to the Probable Cause Committee of the Commission.

(c) The Probable Cause Committee shall convene prior to the next regular meeting of the Commission, shall consider the report of the Standards Division, and shall make a determination as to whether or not probable cause exists that the Commission's rules have been violated.

(d) The Probable Cause Committee may:

- (1) direct the Standards Division to conduct a further investigation of the alleged violation;
- (2) request the Attorney General to authorize an investigation by the State Bureau of Investigation of the alleged violation;
- (3) direct the Standards Division to conduct an administrative hearing in the matter, pursuant to 12 NCAC 09G .0103; or
- (4) determine the appropriate sanctions against the violator pursuant to the Commission's rules.

*History Note: Authority G.S. 17C-6; 17C-10;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. March 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.*