10A NCAC 63C .0101 is proposed for amendment as follows:

SUBCHAPTER 63C - BUSINESS ENTERPRISES PROGRAM

section .0100 – business enterprises program

10A ncac 63c .0101 PURPOSE AND DEFINITIONS

(a) The Business Enterprises Program is a rehabilitative program administered in accordance with the Department of Health and Human Services through the Division of Services for the Blind (DSB). DSB is designated as the State Licensing Agency (SLA) under 34 CFR Part 395. This program provides training and self-employment opportunities in state, federal, and other properties throughout the State of North Carolina for eligible residents who are legally blind. ~~which helps provide employment opportunities and economic security to blind individuals~~. The rules in this Subchapter are promulgated pursuant to 34 CFR Part 395 and G.S. 111 for the purpose of governing the operation and administration of the Business Enterprises Program in this state.

(b) As used in this Subchapter:

(1) “Blind person” or “legally blind” means a person who meets the criteria defined in 34 CFR 395.1(c) and G.S. 111-11.

(2) “Division” or “DSB” means Division of Services for the Blind.

~~(1)~~(3) "Blind licensee" or “licensee” means a blind person licensed by the Division to operate a Business Enterprises facility on ~~federal~~ federal, state or other property.

~~(2)~~(4) "Blind operator" or “operator” means a blind licensee who is operating a Business Enterprises facility on ~~federal~~ federal, state or other property.

~~(3)~~(5) The "Business Enterprises Program (BEP)" provides training and the opportunity for blind individuals to achieve self-employment ~~with remunerative employment~~ through the operation of vending and food service facilities on federal, state, and other properties.

~~(4)~~(6) "Business Enterprises facility" “or facility” means any vending and food service facility operated by the North Carolina Business Enterprises Program as defined in 34 CFR 395.1.

(7) “Elected Committee of Blind Vendors (ECBV)” means a committee as defined in 34 CFR 395.14 whose members are elected by the Business Enterprises operators.

(8) “Active participation” means an ongoing transparent process of good-faith communications and negotiations between the Elected Committee of Blind Vendors and the Division in matters pertaining to major administrative decisions and policy and program development decisions affecting the overall administration of the Business Enterprises Program prior to implementation.

(9) “Host facility” means sponsor or owner of the site upon which the Business Enterprises facility is located.

History Note: Authority G.S. 111‑27; 143B‑157; 34 C.F.R. 395; 20 U.S.C. Sec. 107;

Eff. February 1, 1976;

Readopted Eff. November 16, 1977;

Amended Eff. August 1, 2002; February 1, 1986; October 1, 1978;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, ~~2015.~~ 2015;

Amended Eff.\_\_\_\_\_\_\_\_\_\_\_\_\_\_.